

Russian leader challenges republics

Yeltsin moves to wrest power from Gorbachev

FROM MARY DEJEVSKY IN MOSCOW

BORIS Yeltsin, the Russian president, yesterday effectively snatched supreme executive power from President Gorbachev, who meets President Bush in Madrid today as a statesman bereft of his state.

Mr Yeltsin told the Russian parliament that he would lead the republic to radical economic reform and would ask for extra powers to do so. He challenged other republics to join Russia or risk a separate course, and appealed for international support.

In the most controversial part of his address to the full Russian parliament, the Congress of People's Deputies, Mr Yeltsin said that to implement his programme, he would be asking for special powers "to alter the structure of the supreme executive organs and decide who should join the leadership of those organs".

Afterwards, one of his chief aides, Sergei Stankevich, said Mr Yeltsin would be asking for powers to introduce republics.



Yeltsin: taking control of Russian reform yesterday

lic-wide legislation by presidential decree, bypassing the standing parliament.

Mr Yeltsin told Russians to brace themselves for tough and painful economic reforms. He pledged to free prices at stroke by the end of the year, speed up privatisation and land reform and strengthen the virtually worthless rouble. "If we don't seize the real chance to break the unfavourable course of events, we shall condemn ourselves to beggary and our centuries-old state to disaster."

The speech to the Russian parliament came as Mr Gorbachev was preparing to return to the world stage in Madrid. He meets Mr Bush today to discuss the prospects for peace in the Middle East. Vitali Churkin, the Soviet foreign ministry spokesman, said they would also discuss European matters and the implementation of recent initiatives on nuclear arsenals.

However, the measures outlined by Mr Yeltsin would effectively kill off what remains of the Soviet centre. He said that from the beginning of November, Russia would cease contributions to central institutions except those few approved in the economic treaty signed on October 18. Russia will also end its contributions to the central "stabilisation fund" set up by President Gorbachev earlier this year in an attempt to assist Soviet industry. Among the proposals was a plan that would reduce the Soviet foreign ministry to a consultative body for the

republics. Mr Churkin said later: "To me the consequences would be that the Soviet Union as a single country would be no more."

While expressing the hope that other republics would join Russia in its path to reform, Mr Yeltsin held out the possibility that Russia would have to go it alone. "Russia can take upon itself the responsibility of taking over as the lawful heir of the Soviet Union," he said.

Mr Yeltsin outlined a reform programme entailing the liberalisation of all prices; reform of the tax and banking systems; measures to strengthen the rouble; and measures to end large state monopolies, if necessary by bringing in foreign competition. His programme also provides for a separate currency, customs barriers and a transition to trade in world market prices if, within two weeks, the 12 Soviet republics have not agreed similar reforms.

Although, in principle, he opposed the formation of national armies by the Soviet republics, he said that "if, against our wishes, the process of forming national armies goes ahead, we will have no alternative but to form our own Russian army".

Mr Yeltsin appealed for international support, including the support of those financial institutions to which President Gorbachev has applied. Pointedly, Mr Yeltsin said Russia was ready to supply all the "strategic information" required, and would be applying to the IMF, the World Bank and the European Bank for Reconstruction, inviting them to help with the reforms.

The suggestion that Mr Yeltsin should head the government surprised deputies, who have been speculating about who might accept the post of prime minister. The Russian president did not exclude the possibility that there would also be a prime minister, but he said: "In this situation I, as head of the executive power in Russia... am ready... to head the government directly."

Madrid conference, page 12  
Leading article, page 17



Woman in the driving seat: Kal Demitros, managing director of the UK arm of Harley-Davidson, with one of the company's chrome-finished motorcycles at the International Motorcycle Show in Birmingham yesterday. Mrs Demitros, aged 43, worked in the marketing division of the company's Milwaukee headquarters for 20 years, rising to vice-president (Kevin Eason writes). She is now studying planning and sociology at Oxford Polytechnic. The couple are setting up home at Banbury where Mrs Demitros will be riding her own motorcycle as soon as it is delivered, just as she did in America where she owned a 1,340cc Dyna-Sturgis sports bike.

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Dutch try to avert Maastricht showdown

By ROBIN OAKLEY  
IN LONDON EDITOR

THE government yesterday signalled its determination to negotiate hard in the run-up to the Maastricht summit on economic and political union in Europe by declaring that, while it was not seeking to force a second summit after Maastricht, it was planning for one "on a contingency basis".

In The Hague, the Dutch government, which is in the EC chair, sought to avert a showdown at Maastricht by offering Britain the right to stay outside a future single currency union under a compromise economic and monetary treaty.

The Dutch hope the draft will serve as a blueprint for six weeks of negotiations leading up to a crucial EC summit in Maastricht on December 9-10. Full union would begin when at least seven of the 12 EC member countries met economic performance criteria, the draft treaty said. Senior Dutch sources confirmed that the aim remained the signing of a treaty in Maastricht, "but not at any price".

In another indication of the government's resolve not to be bundled along by European momentum, Michael Howard, the employment secretary, set out in detail Britain's opposition to much of the Community's social charter, warning that the EC was straying into areas best left to member states. Labour accused him of running "Euro-scams" misrepresenting the position. As interested parties from all corners of the

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Britain pressed, page 13  
Sir Alan Walters, page 16  
Leading article, page 17

Major vows to put more women in top public jobs

By PHILIP BASSETT, INDUSTRIAL EDITOR

JOHN Major yesterday promised to increase the number of women holding senior public appointments as part of a new drive to increase the role of women in business and industry.

However, women's campaigners criticised the prime minister's initiative, arguing that what the government held out as a new move - making a

minister in each government department responsible for the issue - was a development introduced in 1982-3. Speaking at the launch in London of Opportunity 2000, a business-led initiative to improve the quantity and quality of women's participation in the workforce, the prime minister described it as "the boldest corporate equal opportunities initiative we have yet seen".

Mr Major said there was a "social revolution" going on about the role of women, whether men liked it or not, and it was right socially and economically. "Why should half of our population go through life like a hobbled horse in a steeplechase?" he said.

Mr Major said that he was determined to see an increase in the proportion of women holding senior public appointments, and that 23 per cent, the level reached last year, was "simply not good enough".

Announcing that a minister in each department would be "personally responsible" on

this issue, he said: "They will expect to see women on every shortlist for public appointments or to be given good reasons for the absence of women candidates."

Much of Mr Major's speech was understood to be the work of Sarah Hogg, head of the Downing Street policy unit, and Judith Chaplin, Mr Major's political secretary.

Lady Howe, who has headed the Opportunity 2000 initiative as chairman of the women's economic development target team of Business in the Community, the organisation behind it, welcomed Mr Major's endorsement.

Women's doubts, page 2  
Leading article, page 17

BA considers moving its base to Stansted

By HARVEY ELLIOTT, AIR CORRESPONDENT

BRITISH Airways is considering switching its entire operation to Stansted if congestion at Heathrow gets worse and construction of a fifth terminal and the Heathrow to Paddington express rail link are further delayed.

Such a switch would cost millions and could lose BA passengers, but allowing big rival airlines such as United and American to use Heathrow infuriated BA, who claim it is now at a disadvantage because its international and

short haul services are split between two terminals.

A dispute between BAA, the airport operator, and the Civil Aviation Authority has delayed planning applications for terminal five, and the express rail link could also be delayed because British Rail and BA, who were to build the link jointly, lack investment capital. But Stansted is rapidly developing road and rail links to London, and its new and terminal is proving popular with passengers.

What, however, is one to make of the choice of Sir Robin Butler, the cabinet secretary? Educated at Harrow and University College, Oxford, he has adopted Aston University, Warwick University and Thames Polytechnic.

The mandarins are surely trying to make a point in the choice of Sir Peter Kemp, a non-graduate, who has risen to be a second permanent secretary: his adopted university is Oxford.

Tradition asserts itself at Cambridge University where one of its own, Sir David Gillmore, of Trent College and King's College, has adopted his alma mater. Less fashionably, Sir David, Continued on page 22, col 7

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Mirror sacks foreign editor

By PAUL WILKINSON  
AND LIN JENKINS

NICK Davies, the *Daily Mirror* foreign editor accused of working for Mossad, the Israeli secret service, and dealing in arms, was dismissed last night by his editor, Richard Stott.

Mirror Group Newspapers said Mr Davies had been dismissed over his "untrue" denials of a meeting with Clarence Kaufman, an arms dealer, in Ohio in 1985. However, the company stood by Mr Davies' rejection of other allegations against him.

The statement said that the group had "no doubt" that allegations that Mr Davies had told Mossad the whereabouts of Mordechai Vanunu, who leaked secrets of the Israeli nuclear bomb project to *The Sunday Times*, were "wholly untrue". It also rejected suggestions that Mr Davies was working for Mossad.

Mr Davies has the right of appeal to Mirror Group publisher Robert Maxwell. Mr Maxwell was away from his office last night and his staff declined to answer questions. Mr Stott also refused to comment.

Mr Davies' alleged involvement first came to the British public's attention a week ago when, under the protection of parliamentary privilege, Rupert Allason, the Conservative MP for Torbay and George Galloway, the Labour MP for Hillhead, asked questions in the Commons about his supposed links with Mossad. Their questions were based on information in the book *The Samson Option* by Pulitzer-prize winning journalist Seymour Hersh.

Earlier yesterday, the Mirror Group Newspapers announced it had extended its enquiry to investigate claims that Mr Davies had met a British arms dealer. The enquiry was first ordered to investigate Mr Davies' retraction of a statement that he had never been to Ohio, after journalist Seymour Hersh gave details of meetings with arms dealers there to support his claim that Mr Davies was involved in arms dealing with Ari Ben-Menashe, an Israeli intelligence agent.

Mr Galloway said: "I have asked Kenneth Baker, Home Secretary, to request a police investigation into the claim made by Mr Hersh that Mr Davies has three passports."

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TODAY IN THE TIMES

BIGGER BUSINESS

Today *The Times* expands its business coverage with seven pages of news, stock market prices and analysis. On the new comment page Neil Bennett looks at the implications of the British



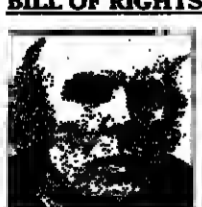
Aerospace rights issue flop, the merger plan of the financial futures market is applauded, and the UDM's plans for British Coal assessed. Plus, of course, The Times City Diary and business letters. Pages 23-29

WOMEN OF 1991



On the day Opportunity 2000 was launched, women of 1991 met the Duchess of York at the annual Women of the Year lunch. Page 2

BILL OF RIGHTS



A written constitution for Britain is inevitable, Bernard Crick argues in today's Law Times. Page 31

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Thames plea brings ITV standards fear

By MELINDA WITTSTOCK, MEDIA CORRESPONDENT

FEARS of declining programme standards in the aftermath of the ITV franchise battle arose yesterday when Thames Television, one of the losers, proposed that blockbuster Hollywood films should not be broadcast over Christmas but delayed until the new year to maximise advertising revenue.

The company, which needs to fund 1,000 redundancies in the next 14 months, told an ITV network scheduling meeting yesterday that bought-in films would bring in much more advertising revenue if rescheduled through January, February and March.

Few firms advertise during Christmas week because most

of their efforts are concentrated in the pre-Christmas period. Blockbuster films, meanwhile, would attract bigger audiences on ITV if scheduled against the normal BBC schedule rather than against any of its Christmas specials. That in turn would drive up advertising revenue.

Over the Christmas week, ITV should rely far more on high quality domestic programmes in its traditional ratings battle with the BBC as competition with the BBC was more to do with prestige than revenue, Thames told the meeting.

The Thames proposal provoked "quite a lot of argu-

Continued on page 22, col 3

Adopt-a-poly causes Whitehall culture shock

By RICHARD FORD  
POLITICAL CORRESPONDENT

FOR the Oxford and Cambridge-educated elite which largely dominates the senior ranks of Whitehall, the latest Cabinet Office initiative could prove something of a culture shock.

Each permanent secretary and some chief executives in charge of agencies created under the *Next Steps* programme will be expected to adopt two or three universities and polytechnics as part of a drive to encourage recruitment into the civil service and to attract a wider cross-section into Whitehall's fast stream. They will be expected to make at least one visit a year to each of the institutions they have chosen, to talk to the careers advisory service, staff and students.

Although the number of students from Oxford and Cambridge winning places on the fast stream has declined over the

past five years, senior civil servants are concerned that too many students and careers services still take the attitude the Whitehall is not for them. "Some universities and polytechnics do not even bother to put people forward for the fast stream," the Cabinet Office said.

In the fifteen months to last April, only 30.2 per cent of those accepted for the fast stream came from Oxford and Cambridge, although they supplied more than half those going into the diplomatic service. Of the 293 candidates recommended for appointment in the fast stream, 50 came from Oxford, 47 from Cambridge, 34 from London, 11 from Edinburgh and ten each from Nottingham and Swansea.

The cabinet office has refused to give details of how universities and polytechnics were allocated to the permanent secretaries. Some have clearly decided to

return to their alma mater, some are adopting universities with which their departments already have close links, and others have chosen institutions close to their birthplaces.

What, however, is one to make of the choice of Sir Robin Butler, the cabinet secretary? Educated at Harrow and University College, Oxford, he has adopted Aston University, Warwick University and Thames Polytechnic.

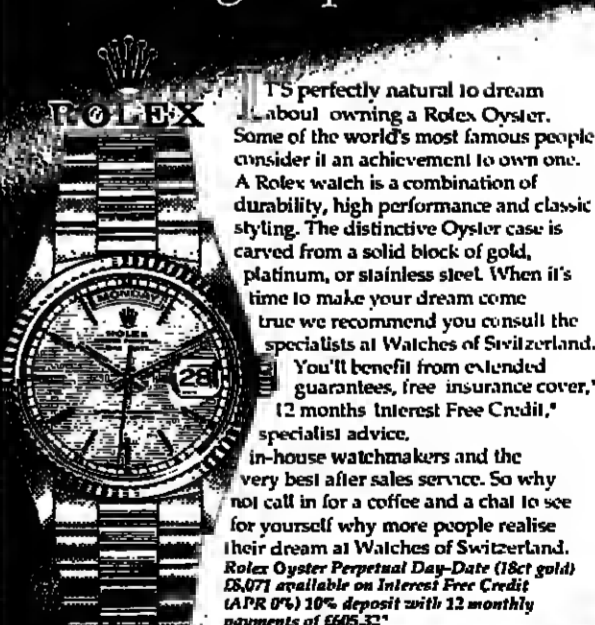
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Sir Robin Butler, Oxford man who has opted for Aston

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## As Major launches Opportunity 2000, Women of the Year share their achievements

## Businesswomen cast doubt on prime minister's scheme

By PETER VICTOR

THE Duchess of York's expressed desire to adopt as her grandmother Sunnie Mann, wife of the former Beirut hostage Jack, summed up the feeling of female solidarity at yesterday's Women of the Year luncheon.

Several women rounded on male reporters with the words: "Oh... a man!" before spotting press badges as we sought interviews during the pre-lunch champagne reception. Having completed my task I was shooed out by a PR coordinator.

The lunch was a feminine rather than feminist affair, bringing together 500 of the country's most influential women at a hotel in central London. Held to raise money for The Greater London Fund for the Blind, the luncheon honoured Carolyn James, aged 48, an internationally renowned watercolour artist who became blind in her early twenties and took up painting ten years ago.

The launch of Opportunity 2000, the government's initiative to improve the lot of women in business, was regarded with caution. A straw poll of women at the luncheon brought mixed responses.

Downie Alexander-Moore, managing director of Gramma's Ltd and winner of the Women in Business New Product of the Year award, did not believe that government intervention would help women like her until the climate of the whole administration had been changed.

"It's a fabulous initiative. Unfortunately, it did not consider, involve or woo the participation of black women because of an unconscious negative attitude within the British authorities that black people aren't management quality."

She added: "The levels of bias are dependent on three factors: gender, race and socio-economic status. If you are a woman, black and working class... you face hell."

Opportunity 2000 would not push this aside, she said. "Because of the influence of financiers it is difficult to raise finance and keep control of your business. I would ask how many small businesses really died because of the recession and how many did the banks execute?"

Barbara Mills, QC, of the serious fraud office, welcomed Opportunity 2000 as an excellent initiative. "I'm thoroughly in favour," she said, adding that she supported the European initiative. "Anything working in the same direction as John Major and the government is excellent."

She did not believe, however, that the European programme would force the government's hand. "I favour the enthusiasm which I see in something like Opportunity 2000 and that will decide the pace."

Dr Judith Collins, curator of the Tate Gallery in London, did not believe the scheme would work. "I'm not convinced by Opportunity 2000 and Mr Major. It seems a little close to electioneering. Spectacular women just have to forge their own way and I think they can probably do that best in the freelance sector."

Dr Collins said that most government institutions were still male dominated. "I've



Outstanding women: the Duchess of York with Sunnie Mann at the Women of the Year luncheon in London yesterday. The duchess sees the wife of the former Beirut hostage Jack as ideal grandmother material

## WOMEN IN WORLD POLITICS

	Total in legislature	Women in legislature	1991 %
Albania	250	72	28.9
Denmark	179	54	30.2
France	899	89	7.7
Germany	662	167	25.2
Iceland	63	14	22.2
Italy	954	102	10.7
Japan	764	40	5.2
Luxembourg	60	8	13.3
Malta	29	2	2.5
Netherlands	225	55	24.0
Norway	165	59	36.0
Romania	506	15	3.0
Spain	558	69	12.4
Sweden	349	132	38.0
UK	1,844	125	6.4
USA	539	31	5.8

Sources: Who's who of women in world politics

## Few UK women are politically active

By DAVID YOUNG

BRITAIN is lagging far behind such countries as Sweden in the number of women who are involved in politics, the legislature and in trade unions according to a new survey.

The survey, carried out by the authors of *Who's Who of Women in Politics*, shows that in some cases developed nations such as Britain and the United States have less women in senior positions than developing countries.

Yolanda Dolling, managing

editor of the publication, said: "Women constitute more than half of most electorates throughout the world, yet are represented by little more than 10 per cent of female politicians at national level in the developed regions and even fewer in other regions." Research had shown that the number of women politically active in government or legislature was increasing, but parity with men was a long way off.

noticed that the BBC thinks a little about what it does with women but none of the other institutions do. I don't think I'd better say any more."

One woman with few qualms about speaking out was Ilona Richards, aged 42, one of Britain's few women freelance HGV drivers, who arrived in a massive American lorry.

"I used to get fed up when I started out with other drivers and bosses putting me down. I suppose you have to have a strong personality."

In spite of the difficulties, however, she said she had no intention of changing her job. "It's a love affair. Don't get me wrong, I like men, but I'd rather have a lorry than a man. With a lorry, it wraps itself around you and you work together as a team. Besides, they don't answer back."

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Guest list, page 18

## Previous measure made little progress

By PHILIP BASSETT  
INDUSTRIAL EDITOR

GOVERNMENT figures released yesterday as the prime minister was announcing new measures to improve the position of women in the civil service showed that the last such initiative has led to little or no progress.

A report from the Cabinet Office listed what it said was considerable progress on achieving equality of opportunity for women, who make up 49 per cent of civil servants. The report acknowledges, however, that fewer new entrants are now women; the proportion of women appointed to fast-stream entry is lower; applications from women with science and engineering qualifications has not kept pace with the increased number of women science graduates; and the increase in the number of women civil servants is smaller than expected.

John Major said that the proportion of women in senior positions in the civil service was better than that in the private sector but still too small. The Cabinet Office report, however, showed that since a 1984 Programme of Action for women, the number of women in Grade 1 civil service jobs — permanent secretaries who run government departments — remains what it was once.

Although 49 per cent of the civil service are women, in grade 7, the main grade from which civil servants are likely to rise into senior management, the proportion of women is only 13 per cent. That has doubled from its 1984 total, when there were 920 women in the grade, compared with 2,051 now.

At grade 3, under-secretary level, the proportion of women has risen from 5 per cent in 1984 to 7 per cent now. In contrast, the proportion of women in the lowest grades has been increasing sharply. At executive officer level, the proportion of women has risen from 29 per cent of the grade to 42 per cent. In the two bottom grades, women form a majority — 67 per cent of administrative officers are women, and 73 per cent of administrative assistants. In the latter, the lowest grade, the proportion of women has declined from 79 per cent in 1984.

Civil service managers claim that the recession and reducing staff turnover and promotion opportunities have hit the position of women in the service. They say too that most employers are not required to give comparable levels of detail on women, and so escape the criticism sometimes levied at the civil service.

Leaders of the Association of First Division Civil Servants, the union representing senior staff in the civil service, say that the figures show that women are being discriminated against by the Treasury's new performance pay system. The Cabinet Office report says only that performance pay "is clearly an area which departments and agencies need to monitor".

## THE TIMES CHARTER FOR WOMEN

The Times charter for women, published in detail yesterday, reflects the views of women's organisations nationwide and 30 women who have already reached top posts in their chosen career. All put childcare at the top of their list of priorities. The charter offers suggestions for steps that could be taken based on what women want.

## Flexible and affordable childcare

- Tax benefits on childcare and childcare vouchers
- A three-way split on funding between government — central and local — employers and parents
- A nationally-funded system of childcare
- Incentives for employers to provide childcare — not necessarily on the premises
- More government funding of nursery schools
- Good out-of-school childcare provision, a safe local play centre in every neighbourhood, with a special fund set up so that schools can apply to enable them to open up

## Flexible working

- Higher employer consciousness of the need for job sharing, working part-time or "part year", and career breaks
- Pre-rated rights, benefits and promotion prospects, and job protection, for part-time workers
- More security for women returning to work after a career break

## Training

- Decent vocational training for women
- Continuation of inexpensive adult education classes
- Training courses during career breaks, subsidised by employers

## More women at the top

- Advertise for appointments to public bodies
- Ensure equal representation of women in public life
- More women in Parliament and the media, the two areas in which the female voice must be heard

## Equality

- In jobs, pay, pensions and benefits
- Effective and enforceable equal opportunities legislation: in particular to protect jobs while on maternity leave

## Better healthcare

- A bigger say in the health service
- A greater choice in childbirth
- More money for research into breast cancer and other areas of women's health

## Recognition for women who work at home

- Tax allowances for women looking after children or elderly relatives at home

## Tax relief for low income families

- To enable them to get off income support and go back to work with benefits to cover childcare, and more adequate support systems for homeless women

## EC institutions are far from ideal

By MICHAEL DYNES

EUROPEAN Community institutions have a long way to go before they satisfy the aspirations of women seeking positions of power and influence in the workplace.

The European Commission's 15,000-strong civil service consists of 59 per cent men. Only 12 per cent of the top jobs are held by women, despite recent attempts to boost the number of women attaining high office.

Sue Bions, for example, who holds the position of *chef de cabinet* for Bruce Millan, Britain's commissioner for the regional and social funds, is only the third woman to have reached such an elevated office, the equivalent of a British minister's senior political adviser.

Applications to join Europe's civil service are overwhelmingly from men. Female applications have never exceeded 18 per cent.

Although the number of translators and interpreters is divided evenly between the sexes, women rarely reach positions of power and influence. Most women, roughly 80 per cent, are concentrated in the lower secretarial, technical, and administrative grades.

## MP fined for neglect of sheep

By MICHAEL HORNSBY  
AGRICULTURE  
CORRESPONDENT

A Conservative MP was yesterday fined £1,500 with £1,000 costs for breach of animal welfare laws after a court was told that his sheep had been found in a horrific condition by government veterinary inspectors.

One ewe on the Lincolnshire estate of Quentin Davies, MP for Stamford and Spalding, could not raise her head or stand, magistrates at Boston, were told. An agriculture ministry vet thought that the animal was dead until he saw a slight movement. The ewe was later put down. On a later visit, a ewe was found dead in a dipping bath.

Investigations into the state of the flock began after the ministry received an anonymous telephone tip-off.

Davies, 47, a merchant banker, admitted being the owner of sheep that had been caused unnecessary suffering and was also found guilty of failing to ensure that his sheep were fed a wholesome diet. Davies's solicitor said that the MP's role had been only "to pay the bills and receive any share of any profit". The flock was now healthy.

## Missile men

Three Protestant extremists were given suspended sentences by a French court yesterday for trying to sell South Africa a British anti-aircraft missile. Noel Little, Sam Quinn and James King, all members of the Ulster Defence Association, were detained with an American arms dealer in a Paris hotel in 1989 preparing to sell a Blowpipe missile to a South African diplomat.

## Pc found guilty



A police officer who used his expenses to pay for hotel bills after an affair with a policeman was sentenced to a total of three months imprisonment, suspended for a year. Pc John Clews, 43, above, was found guilty on six charges of false accounting. Clews paid the bills with a credit card which was supplied by the West Midlands Police Federation's constables branch.

## Killer jailed

A killer who dug his victim's grave while she prayed was given a life sentence at the Central Criminal Court in London yesterday. Michael Smithyman, aged 26, of Deptford, southeast London, confessed to the murder of his former lover, April Sheridan, on the fifth day of his trial. Miss Sheridan, aged 22, was shot "because she knew too much" about his criminal activities.

## Joyride charge

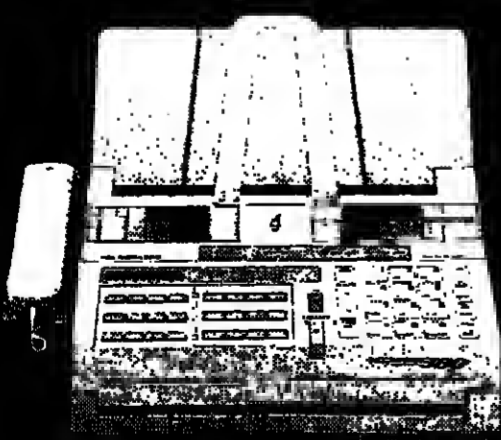
A teenage joyrider who was a passenger in a stolen car that killed a baby yesterday found guilty of manslaughter. The boy, aged 16, was in the car, driven by his friend, aged 15, who has already admitted manslaughter. Durham crown court was told. They were being chased by police last November but kept clear before the car hit 10-month-old Richard Hartill. The pair are awaiting sentence.

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## Girl of 6 to receive £425,000 damages for hospital error

By PAUL WILKINSON

EVERY day six-year-old Laura Browning, who was brain damaged at birth because of a hospital error, can see in her twin sister Ruth what her life might have been like, the High Court in London was told yesterday.

Ruth was born quite normally at the Princess Anne Hospital, in Southampton, but complications followed and Laura had to be delivered by caesarian section 30 minutes later. Oxygen starvation meant that she now suffers from cerebral palsy.

Yesterday at the High Court the Southampton and South West Hampshire Health Authority admitted that its staff

were negligent and agreed to pay Laura £425,000 damages. They will also pay £15,220 to her mother Sandra, now aged 41, for the pain, injury, trauma, discomfort and distress of the birth.

Mrs Browning, from Sandown on the Isle of Wight, has since given up her estate agency job to care for Laura.

Michael Brent, QC, for the Brownings, said Ruth was her sister's identical twin and is a "living image" of what Laura would have been like if she had not been injured.

"It is something Laura is keenly aware of and particularly as she gets older she will become more aware of the differences between her and Ruth, while her parents see those differences every day," he said. However, she is still "best friends" with her sister.

Laura was not damaged intellectually and has a variable IQ of 120, but she has difficulty with her speech and strangers find it difficult to understand her at times.

She also has some clumsiness in her fingers, difficulty standing and with feeding. There were also some things Ruth wanted to do and was able to do which Laura could not.

She had special help at school, provided by the local council, and had her own computer at home, the court was told. It was hoped that by the age of 22 Laura would be able to live independently, but if she married and had children, the award took into account the need for a nanny

to help her.

The judge, Mr Justice Macpherson, described the award as "eminently sensible", and said it was an unusual case because of the comparisons that were able to be made between Laura and her identical twin sister. While money "never compensates" for what happened in the hospital, it would help to look after Laura's future.

Outside the court Mrs Browning said: "We are obviously delighted it has been settled now. It is just a pity it has taken so long. The money is going to make our daughter's life easier, but I would happily give every penny back if it had never happened."

"Laura is doing well at school. She is very bright and Ruth is her greatest companion and helps her with everything."

In a statement issued later the Southampton and South West Hampshire health authority said it was "pleased for all concerned that the case has been resolved and is sure that a settlement was in the best interests of all parties in the case. The health authority admitted liability in the case and expresses sincere regret to the Browning family."

The authority's statement went on: "The Princess Anne Hospital has an excellent record and everything possible has been done to prevent a recurrence of the event. The implications of the case have been looked into very carefully to draw lessons for future practice."

## Aids trust sheds jobs to avoid £1m deficit

By JILL SHERMAN  
SOCIAL SERVICES  
CORRESPONDENT

THE Terence Higgins Trust, Britain's leading Aids charity, is to cut 18 per cent of its staff to help to avoid a £1 million deficit next year. Staff at the trust, which provides health education and community services to people with Aids or the HIV virus, were told yesterday that between ten and 12 jobs will be lost to save £200,000.

The decision was made by the trust's board of directors on Saturday when it realised the organisation was heading for a large deficit on its £2 million budget next year. The main reasons given were the recession, which had resulted in a drop in personal and corporate donations, and delayed payments from contracts with local authorities and health authorities.

Although the organisation receives £450,000 from the health department, that sum has been frozen for two years. A £1 million overspend is projected in 1992-3 because of commitments such as staff costs, services to cope with the increase in people with Aids, and health education projects.

A further £340,000 is to be cut from the proposed health education projects. The trust is appealing to the health department and other statutory and voluntary organisations to provide the remaining £450,000 needed to balance the books next year. If the extra money cannot be raised it is likely that the trust will have to abandon its health education programme or its community services to Aids sufferers, or cut both severely.

Nick Partridge, the trust's chief executive, said yesterday: "We will make every effort to maintain our service to people with Aids over the long term." He said that present services for Aids sufferers would not be reduced as a result of the staff cuts. "This isn't an immediate crisis. It's sensible planning for the future."

## Police reopen files on A1 murder

By STEWART TENDLER, CRIME CORRESPONDENT

DETECTIVES have reopened files on the murder of Janice Weston, a London solicitor found battered to death eight years ago on the A1, after receiving new information.

Detective Chief Superintendent Laurie Sherwood, head of Cambridgeshire CID, said yesterday: "I can confirm that we are looking again at the Janice Weston murder in the light of information that has recently emerged. At this stage it would not be helpful to the inquiries to be more explicit." He refused to comment on a report that the information came in a confession from a professional killer serving life in a maximum

security prison in the south of England.

Mrs Weston, aged 36, a conveyancing solicitor with a partnership in a Lincoln's Inn firm, left her office at 4.15pm on Saturday, September 11, 1983. She went to her home in Holland Park, west London, where she changed into jeans and a sweater. Her husband Tony, then 39, was on business in France and she had told friends that she intended staying in London for the weekend. She appeared to have changed her mind and set off in her silver Alfa Romeo, possibly for the couple's country home at Clotop, Northamptonshire.

Hours later her body was found in a ditch by a cyclist. She had been beaten about the head with a car jack and a senior detective said the murderer appeared to be "someone who had lost their temper and gone berserk". Mrs Weston's bloodstained car was found four days later at Camden, north London, a few miles from her flat.

Mr Weston was arrested in December 1983 and held for 53 hours by police before being released. A report on the case was sent to the Director of Public Prosecutions and no charges were brought.



Weston: partnership at Lincoln's Inn solicitors

## Woman sacked over clothes

By ROBIN YOUNG

A SENIOR clerk at an Iranian bank was sacked for dressing like western women, an industrial tribunal was told yesterday. Soraya Demeshghi, aged 40, was dismissed by the Bank Melli Iran for reporting for work in skirts and blouses.

When ordered to wear a head scarf she refused, and was banned from public areas of the building as a result, the hearing was told. Mrs Demeshghi was dismissed from the Kensington, west London, branch of the bank last July for "intolerable conduct".

She is claiming that the

dismissal was unfair and has filed a separate action against the bank alleging sexual harassment.

Mrs Demeshghi, a divorcee and mother of one, appeared before the tribunal with her hair bleached blonde and wearing a black skirt and cream blouse. She also wore black bows in her hair, pink lipstick and eye-liner.

Her disagreements with her superiors came after 17 years' service, the tribunal was told. The bank said she should mask her face in accordance with Iranian fundamentalist

religious rules. Mrs Demeshghi said that she was a member of the Azeri racial group, to whom the rules should not apply.

David Hughes, representing the bank, said: "She says the requirement for women to wear head scarves is a tradition which her racial group associate with women of a lower social class. The respondents claim the applicant's case should fail because the Azeri are not a racial group."

The hearing at Woburn Place, central London, continues.

## Business as usual at slander surgery

Is there a doctor in the house? Yes, but only one. David Young has an appointment at a divided surgery

"ARE you this side or that?", asked the receptionist at the Hunsbury Medical Centre in Northampton yesterday, her desk divided by a plastic screen. On one side, the patients of Dr Alanah Houston are dealt with; on the other, the patients of Dr Malcolm Smith.

The gap between the doctors is wider. Dr Houston has been ordered by a High Court jury to pay Dr Smith damages of £150,000 for slander, and costs which are estimated at another £150,000. Remarks she made alleging sexual harassment came, the High Court was told, as the final stage of a long-running dispute between the two partners which has meant that they now run separate businesses from the same premises.

Dr Houston was in her surgery yesterday, dealing with a stream of patients as she would on any Monday morning. "I must put all this behind me now, and just try to get back to the normal routine of seeing my patients," she said.

Dr Smith was still on holiday. He anticipated that the High Court action would continue into this week, and organised a locum to handle his patients.

Yesterday the patients on Dr Houston's list backed her to the hilt, and those on Dr Smith's gave him their full support.

The doctors appear at Northampton County Court on November 18, when Dr Houston seeks an order to end a joint mortgage agreement under which the former partners borrowed £150,000 to build their medical centre six years ago. Dr Houston wants Dr Smith to be ordered to sell his share in the centre to her new partner, while Dr Smith wants Dr Houston's share of the business passed on to him.

In a separate action Dr Houston is preparing to seek an order making her bankrupt. She says that she cannot pay the damages awarded by the High Court, and has no plan to appeal.



That Monday morning feeling: Alanah Houston arriving at work at the surgery yesterday. Her former business partner, Malcolm Smith, was still on holiday

## Sir Peter tells of lonely SAS war

By MICHAEL EVANS  
DEFENCE CORRESPONDENT

BRITISH special forces units survived in western Iraq for five weeks with an inadequate supply of food and fuel, General Sir Peter de la Billiere, commander of the British forces in the Gulf, said yesterday.

The troops had faced the worst weather conditions experienced in Iraq for 30 years, he said. The nights hiding in the desert "hundreds of miles" from the coalition forces in Saudi Arabia were so cold that diesel oil froze.

Official statements on the achievements of British special forces have already been made by the prime minister and by Air Chief Marshal Sir Patrick Hine, the joint forces commander throughout the war. However, this was the first time that Sir Peter, a former commander of the SAS, has made any public acknowledgement of the suffering and bravery of the SAS units. At least 200 men are understood to have been operating behind Iraqi lines.

Sir Peter, speaking at the Royal United Services Institute for Defence Studies, in central London, said it was the largest special forces contingent deployed since the second world war. Resupply was limited because of the difficulties of flying in equipment.

He said that the special forces used land vehicles and helicopters to get around and he confirmed that their main achievement, apart from long range information gathering, was in destroying Scud missile launchers and missile command and control centres.

He spoke of the psychological effect on the Iraqi troops of having enemy special forces in their midst. He added: "However comprehensive the aerial surveillance [of the enemy forces], there is still nothing to replace a pair of eyes on the ground." Apart from the freezing conditions, the SAS also had to endure sand storms.

Sir Peter said that the land offensive had been stopped "at precisely the right time". Although an advance on Baghdad would have been possible, it would have been totally wrong, because the United Nations resolution empowered the coalition only to remove the Iraqis from Kuwait.

## Offer by orchestra rejected

By SIMON TAIT  
ARTS CORRESPONDENT

THE Royal Opera House has rejected an offer from its 120-strong orchestra that the musicians might end a 20 per cent pay claim and industrial action in return for extra clothing or instrument allowances.

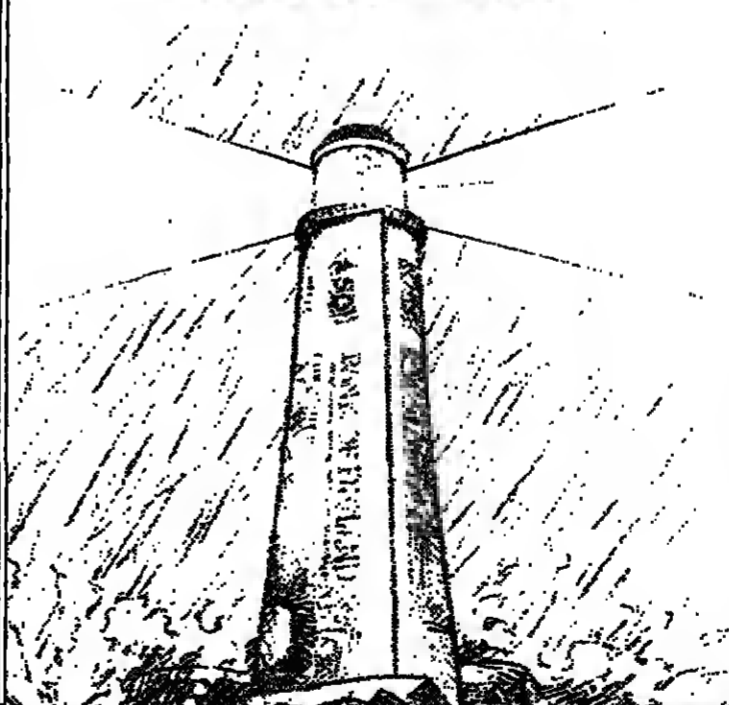
Tony Lucas, central London branch secretary of the Musicians' Union, said yesterday that a suggestion had been put to the Advisory, Conciliation and Arbitration Service (Acas) last week that the musicians might accept the 5.5 per cent rise plus increase in overtime rates offered by management, if accompanied by an added allowance. "This was one of a number of negotiating options put to Acas, but turned down by the management," he said. On Friday, the orchestra voted to continue its claim.

Yesterday, Jeremy Isaacs, Covent Garden's general director, told staff that the musicians could not be made a special case, which would be to the detriment of other departments due to limited resources. A spokeswoman said: "The mood of the house was not with the orchestra."

Mr Isaacs said that staff suspensions would have to be considered after three weeks of the week-long closure to minimise financial loss.

The two sides are to meet Acas separately this morning.

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## Sniffing out Bonaparte's animal appeal

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

THE secret of Napoleon Bonaparte's animal magnetism and his legendary ability to command troops to fight even in the harshest of conditions may have been discovered by a team of perfume scientists.

They have identified and recreated the lost recipe for the French emperor's personal cologne. Rather like Henry Cooper, he would splash it all over before and after battles or liaisons with Josephine and Marie-Louise. The distinctive perfume,

which is being stored under a layer of liquid argon gas for safety, has been made by scientists working for the Osmothèque, a laboratory and museum of mankind's most delicate aromas that is attached to the International Perfume and Cosmetics Institute at Versailles, near Paris.

The museum, the brainchild of organisations including the French Perfumers Society and the Versailles Chamber of Commerce, is aiming to collect

and store the thousands of French perfumes that have been made since the early 19th century.

Of the 550 perfumes now in storage about 90 are ones that have been remade from discontinued or lost formulae, Jean Kerleo, head of the project, said yesterday.

Napoleon died in 1821 on the island of St Helena in the South Atlantic, possibly from stomach cancer, and it was believed the secret of his personal perfume died with him. The recipe that M

Kerleo has recreated was discovered by chance in a collection of letters acquired by the mayor of Versailles.

One of the letters is believed to have been written by Ali, a servant of the emperor, who served *le petit tondou*, or little crop head, in his final years.

Unable to acquire the ingredients needed for the cologne, Ali had written to France for the materials which, M Kerleo, described as citrus-based consisting of lemon, orange and bergamot essences in alcohol.



## Think small.

Our little car isn't so much of a novelty any more.

A couple of dozen college kids don't try to squeeze inside it.

The guy at the gas station doesn't ask where the gas goes.

Nobody even stares at our shape.

In fact, some people who drive our little

sliver don't even think 32 miles to the gallon is going any great guns.

Or using five pints of oil instead of five quarts.

Or never needing anti-freeze.

Or racking up 40,000 miles on a set of tires.

That's because once you get used to

some of our economies, you don't even think about them any more.

Except when you squeeze into a small parking spot. Or renew your small insurance. Or pay a small repair bill. Or trade in your old VW for a new one.

Think it over.



This advertisement was created by Doyle Dane Bernbach.

**T**HIS IS the power of newspaper advertising. In 1962 "Think Small" grabbed America by the scruff of the neck. Almost single-handed, it lent an ugly little automobile a charm Americans found irresistible. (In 1949, VW sold 2 cars in the States. In 1962, 185,000.) Done well, newspaper advertising screams out for attention. There is nothing it cannot sell, not even a bug. Think big. Advertise in the newspapers.

This advertisement was placed by the Newspaper Publishers Association.

**PEOPLE  
READ  
NEWS-  
PAPERS**

**Bentley's  
purchase  
diamonds**

**Firms  
pay  
seats**



**Asians 'to  
form in E**

**Scots pride  
JIMMY goe**

## Firms scramble to pay £675 for best seats at rugby final

By BILL FROST

HAUTE cuisine, vintage wines and garrulous sporting celebrities will grace the banquet tables occupied by rugby's most affluent supporters at the World Cup final this Saturday, with the price of a single ticket for Twickenham as high as £675.

The switchboard at Mike Burton Management, the corporate hospitality brokers offering the most expensive package, was jammed yesterday morning by callers or the real danger of sleeping through the final after Babylonian over-indulgence at lunch. Mr Burton himself thought the ticket price reasonable. "We are offering a marquee in a prime site, good grandstand seats, excellent lunch, champagne, great celebrity guests [identities a closely guarded secret to prevent poaching by rivals] and parking. Our customers are also buying a piece

of sporting history: they will have attended the World Cup final," he said yesterday.

Keith Prowse, the sole official hospitality ticket agent, were sold out yesterday. Many of their 4,500 allocated tickets, including lunch, tea and drinks at £350 a head, went early in the competition.

Ticket prices for a "piece of sporting history", minus flit mignon and unlimited fine wines, varied sharply yesterday, with the average around £350. The face value of tickets for the match is either £30 for the best seats, or £26 for those with a slightly less commanding view. Geoff Craig of City Ticket Promotions was undercutting the market at £250 a ticket. "We got them through the back door, as it were," he said yesterday.

Tickets are made available to the respective rugby unions, clubs and various individuals. I buy from them at, say £175, and then charge £250. I am not greedy, and you cannot blame my sources: after all this is an amateur game and people need to pay their bills."

Mr Craig was out offering hospitality packages. "I want to keep prices low and give fans a better deal. Anyway, with all that food and drink on board, you might well snore your way through the final."

As the telephones rang incessantly at ticket agencies yesterday, less affluent fans could have been forgiven for feeling irked. No face-price

tickets will be available for the final. "If they had been they would have been sold many times over," said a spokesman for the Rugby World Cup.

For once, the touts hoping to score at Twickenham this Saturday face having their fingers burnt. "They will turn up looking to buy cheap and sell dear, as usual. But this time they are backing a loser," said Geoff Craig. "There is no surplus, everything went weeks ago. The touts would do better staying at home and watching the final on television."

Similar advice was offered to disgruntled fans by RWC. "Unless you hold a ticket, do not bother going to Twickenham this Saturday. Don't play into the hands of the touts. Just stay at home with a grandstand seat in front of the television, it will probably be the best view of the final anyway," a spokesman said.

World Cup news, page 38  
Rob Andrew, page 40



Burton: selling "a piece of sporting history"

## Asians 'top of the form in English'

By JOHN O'LEARY, HIGHER EDUCATION CORRESPONDENT

ASIAN pupils are doing better at English than the English themselves, a team of academics reported yesterday.

An analysis of GCSE results in six Loddoo boroughs showed that pupils from white British families were half a grade behind Asian pupils on average. Afro-Caribbean pupils did as well as white pupils in English, but were further behind in mathematics.

Professor Desmond Nuttall, of the Lodon School of Economics, who presented the study to the Association of Metropolitan Authorities, also found that girls were producing much better results than boys in English. The position was reversed in mathematics.

The comparisons formed part of an attempt to assess the performance of schools, taking into account intakes, rather than using raw examination results alone. Pupils' sex, ethnic origin and eligibility for free school meals were all found to have a bearing on examination performance.

The six boroughs were chosen because of the availability of information from tests at age 11, which was compared with the same pupils' GCSE results. An unnamed school ranked 38th out of 120 on examination results slipped to 107th when results were weighted.

Among the sample of 5,500

pupils in Camden, Greenwich, Hackney, Wandsworth, Islington and Lewisham, those in the top ability group at 11 were most influenced by the quality of school. In English, single sex schools produced the best results, but in mathematics neither the size nor composition of the school had a measurable effect.

Professor Nuttall said that parental instinct could not identify precise differences between schools, as ministers claimed. He said differences in results between Asian and white pupils might be due to parental support and aspirations.

A leading figure in Conservative education circles yesterday attacked key elements of the government's school reforms. John Marks, secretary of the education study group at the Centre for Policy Studies, called for simpler tests under the national curriculum, reintroduction of O-levels and replacement of comprehensive schools by a tripartite system at 14 giving the option of technical, vocational or academic schools.

Dr Marks, in a pamphlet published by the Social Market Foundation, estimates that the tests will cost £1.7 billion and diminish teaching time unnecessarily. Simple "paper and pencil tests" could cut costs to £18 million.

## Scots pride hit as JIMMY goes south

By KERRY GILL

AN AUCTION of car registration numbers in Glasgow raised a few eyebrows as well as many thousands of pounds for the transport department yesterday. The number J1 MMY sold not to a Glaswegian, or a Scot, or even a man called Jimmy, but to a George from Berkshire.

The number was lost to the city — where the name "Jimmy" can be applied to acquaintances, strangers or anyone whose name you have simply forgotten — when the Englishman paid £35,000 for it in memory of his father, who died last year. George, who would not disclose his surname, said: "It means a lot for me to get it. I cannot tell you how close we were. When

I heard this plate was up for sale I had no hesitation in coming up."

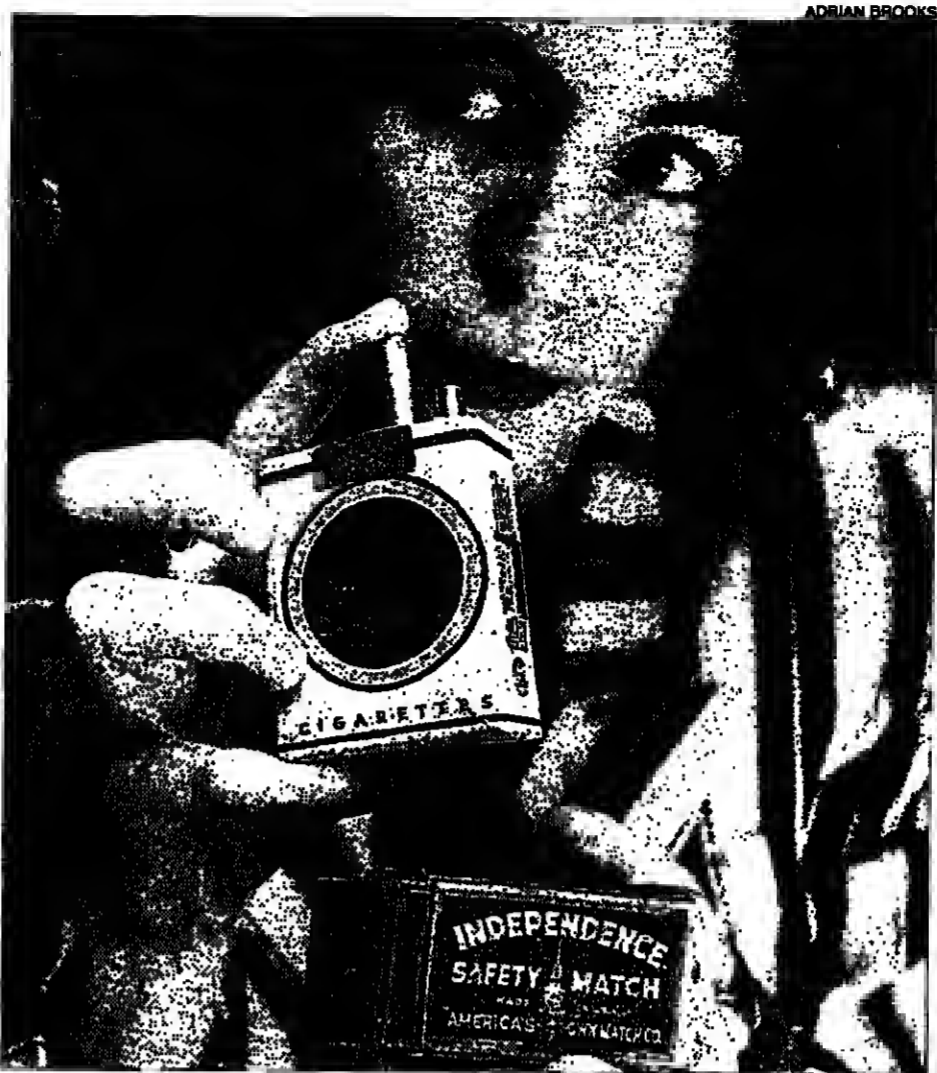
The buyer, who dodged reporters and camera crews as he left the sale at the Scottish Exhibition Centre, added: "I don't want any publicity. I have bought this for sentimental reasons."

Perhaps he had learnt that, as pointed out by Bernard Levin in *The Times* yesterday, police have laid 250 charges against motorists in one corner of London for enhancing the appeal of their "personalised" number plates by narrowing the gap between the figure and second letter to less than 1.3125 in, in defiance of the Vehicles (Excise) Act of 1971.

Other numbers sold included H1 BBS — or H1BBS — bought for £3,200 on behalf of a Hibernian supporter, and ACC 1E, bought for £1,000 by a follower of Hamilton Academicals. Bids for several plates bearing the Scottish initials Mc or Mac outstripped their reserve. The second highest price, however, was paid for MAX 1M, which cost a Lancashire nightclub owner £34,000.

## Bentley's purchase diamonds

They would be pleased to purchase your diamonds and jewellery at 65 New Bond St. London W1 071-629 0651



Hidden snags: a cigarette packet and a matchbox concealing "spy" cameras, to be sold at Christie's, South Kensington, on December 9. The Lucky Strike camera was developed for the US Signals Corps; the matchbox camera is German.

## TV bans 'butter' advert

By MELINDA WITTSTOCK  
MEDIA CORRESPONDENT

A TELEVISION commercial for a new margarine called I Can't Believe It's Not Butter! has been banned by the Independent Television Commission for violating an EC rule preventing advertisers from using the word "butter" to promote anything but butter.

Van den Berghs, the manufacturer of the new spread, believes the name of the product is well within the law and has taken legal advice about challenging the decision. "We're not saying it's not butter, we're saying it's not butter," a spokesman for Van den Berghs said yesterday. "We can't see what the problem is. We think we have a very strong case."

After taking legal advice and listening to representations by the dairy lobby, the ITC said it had no choice but to stop the £2 million campaign. "We can't fly in the face of our legal opinion," it said.

Van den Berghs said it was challenged by the dairy lobby in America when it launched the margarine there five years ago, but the courts allowed it to proceed with the name. It is switching its £2 million campaign from television to newspapers.

## Man killed 2 after HIV diagnosis

A MAN with the Aids virus was jailed for seven years yesterday for killing his common-law wife and his step-daughter, aged five. Okello Aham, aged 31, a political refugee from Uganda, of Myatt's Field Estate, Brixton, south London, pleaded guilty at the Central Criminal Court to the manslaughter of Agnes, aged 25, who was HIV-positive, and her daughter Caroline.

His pleas of not guilty to their murders on the ground of diminished responsibility were accepted by the Crown. Three psychiatrists reported that Aham's mental state had been substantially impaired by the knowledge that he and his wife could die of Aids.

Graham Boul, for the prosecution, said that the couple were both diagnosed HIV positive and that was the "catalyst" which triggered the killings on March 3. The couple had separately spoken of suicide, and Aham told relatives that he was about "to do something dreadful" shortly before he stabbed his wife repeatedly with a carving knife and stabbed and strangled her daughter.

Aham's father, a prospective MP in Uganda, had been abducted and killed, and Aham saw his mother-in-law and his sister die of Aids.

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TALKING TO  
BARCLAYS

CALL THE BARCLAYS INFORMATION LINE ON 0800 400 100 FREE

# This commercial has been



*Music throughout.*



*For years we had a love affair. We thought it was over. But now passions*

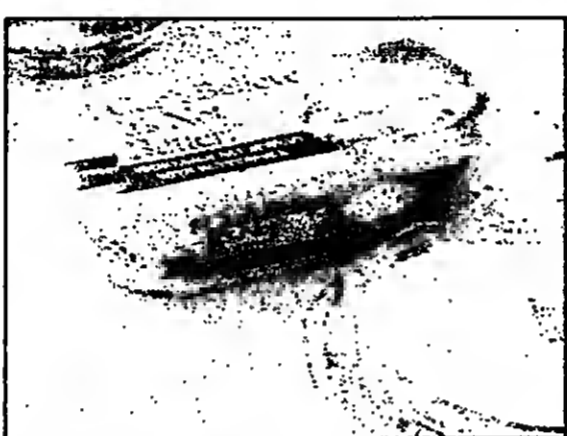


*are soaring once again since we discovered the taste of...*

# banned from British television.



*"I Can't Believe It's Not Butter!"*



*I Can't Believe It's Not Butter! is the new spread flavoured with buttermilk*



*for that fresh, butter-like taste. High in polyunsaturates, low in saturates...*

# As usual, it all comes down



*with virtually no cholesterol.*



*"I never thought it could be this good again."*



*I Can't Believe It's Not Butter! A taste you'll love.*

# to a question of taste.

Looks innocent enough, doesn't it?

Well, believe it or not, our commercial's got some people - including a certain food lobby - very hot under the collar.

So hot, they've been moved to get it banned from your screens.

Apparently it's our name they object to.

You see, when we made our new spread, we made it with buttermilk.

It has a fresh, butter-like taste. Which is why

we decided to call it "I Can't Believe It's Not Butter!"

But that's enough to have certain people frothing at the mouth.

We *are* allowed to tell you it's a vegetable fat spread high in polyunsaturates, low in saturates and with virtually no cholesterol.

And we can tell you it's now in the shops. As for the taste, we reckon you're old enough to make up your own mind about that.

With or without the aid of our commercial.

Labo  
likely  
lotter

Tory in re  
dies from

Gilbert...

DA  
NON-STO  
HEATH  
TO  
MALA

## Labour and Tories likely to back state lottery for the arts

By SHEILA GUNN, POLITICAL CORRESPONDENT

BOTH Conservative and Labour election manifestos could include commitments to setting up a national state lottery to fund the arts.

Tory policy-makers are understood to be close to agreeing a scheme similar to the Irish state lottery, which raises up to £1 billion a year for arts, cultural and sports projects.

Although the pools promoters continue to lobby hard against the idea, pro-lottery ministers and MPs believe they have the backing of most

backbenchers and outside bodies.

Margaret Thatcher, as prime minister, was known to oppose such a lottery because it could be regarded as a form of state-sponsored gambling. The Liberal Democrats still dislike the prospect of depending on a lottery to raise money for the public sector.

However, John Major and key cabinet ministers, most notably including Norman Lamont and Kenneth Baker, appear increasingly enthusiastic about making an election

commitment to setting up a scheme to raise about £2 billion a year. About 50 per cent of the income would be used for arts, heritage and sports projects, with about between 35 and 40 per cent being offered in prize money. The rest would be spent on administration costs.

John Lee, Conservative MP for Pendle, a former tourism minister and a leading advocate of a national state lottery, said: "I now believe a national lottery to be inevitable. From a tangle of Tory parliamentarians I found something like 80 per cent in favour."

"Britain and Albania are the only European countries not to have a national lottery. Increasingly we feel we are pushing at an open door and are nearly there."

Mark Fisher, the shadow arts minister, is also known to be strongly in favour of a future Labour government setting up a lottery to raise urgent funds for the arts. However, some Labour MPs are opposed to the concept of raising public funds through gambling.

Hidden away in Labour's recently-launched policy document, *Our Cultural Future*, is a commitment to use both public and private funds for the arts. "We will give serious consideration to the proposal to establish a national lottery for the benefit of the arts," it says.

"We will set up an enquiry to examine the means by which this could be achieved with the lowest possible administrative costs, whilst safeguarding the existence of establishment arrangements and employment."

The income would be put into an arts endowment trust to restore property found by Labour's proposed national audit of cultural buildings to be in urgent need of repair. Some of the income would also be used to set up a Housing the Arts fund.

## Tory in race dispute dies from cancer

By PETER VICTOR

BILL Galbraith, the businessman at the centre of a race dispute after he called a black Tory parliamentary candidate a "bloody nigger", died yesterday from cancer.

Mr Galbraith, aged 55, who faced possible prosecution for inciting racial hatred, had



Galbraith: expelled by local party

been expelled from the Conservative Association in Cheltenham, Gloucestershire, over the incident.

The outburst was made last December after a meeting of the local Conservative Association and repeated for the

news media. A re-run of Mr John Taylor's selection followed which saw him adopted by a large majority for the safe Cheltenham seat. The dispute, though, prompted the intervention of the prime minister and attracted considerable bad publicity for the spa town. Although his remarks were considered offensive, many in the town agreed with his wish that their MP should be a local man. Mr Taylor, a former Home Office adviser, lived in London at the time.

Mr Galbraith, known as a man who enjoyed a drink, was polite to black people he met in person. Born in Glasgow, he worked as a freelance publisher and salesman. He met his wife, Janet, while living in London and moved to Cheltenham eight years ago. Yesterday Sir Charles Irving, the town's MP, said: "He will be missed in Cheltenham as a character regardless of what he may or may not have said at the time of the selection of John Taylor as a prospective parliamentary candidate."

Mr Galbraith's funeral will be held at Tron, Strathclyde.



Looking to the future: Zainab Ali, deputy speaker of the Muslim Parliament of Great Britain, which is to be launched in January but has critics among Muslims

## Muslims mimic Parliament

By RUTH GLEDHILL, RELIGIOUS AFFAIRS CORRESPONDENT

THE Muslim Parliament of Great Britain emerged yesterday. Its makeup is aimed to be on the lines of the Westminster Parliament.

According to a paper launched yesterday, which outlined procedures, the parliament will have an upper and a lower house. The latter will be 200-strong.

The Muslim parliament, dismissed by one leading member of the community as failing to represent more than 5 per cent of the UK's two million Muslims, would

be representative when launched in January, said Kalim Siddiqui, its leader. "We are not going to set up a Hezbollah," he said.

The parliament will meet for 13 days a year at Kensington Town Hall. Its first action will be to send a letter of loyalty to the Queen. An early debate will be on poverty among Muslims in Britain. Dr Siddiqui said: "One of our goals is to lift the Muslim community off the economic floor. We are at the bottom of the pile, we do

the menial jobs... We want to make Muslims as prosperous as some other communities."

Members of the body will be barred from standing for the Commons, Dr Siddiqui said, insisting that this was not divisive.

Hesham el-Essawy, of the Islamic Society for the Promotion of Religious Tolerance, commented: "Dr Siddiqui is a general without troops. He is moving in the opposite direction of what most Muslims want here."

## Hemsworth by-election

## Kinnock plays down impact of local party split

By PETER DAVENPORT

State grey skies kept the towns and villages in the Hemsworth constituency in West Yorkshire under permanent gloom yesterday as Neil Kinnock arrived determined to spread a little peace and harmony in a local party divided by the choice of its by-election candidate.

A campaign that should have cruised towards retaining a majority of more than 20,000 was hindered by a Labour National Executive Committee decision to exclude Ken Capstick, the mao preferred by the National Union of Mineworkers, from its shortlist. Mr Capstick is vice-chairman of the Yorkshire area of the union and an associate of Arthur Scargill.

Instead, the chosen candidate was Derek Enright, a former Euro MP and Oxford graduate, and Mr Kinnock was determined yesterday to show his support for him.

The Hemsworth constituency is based to the southeast of Wakefield, an area which has suffered from the decline of the mining industry. Ten years ago it supported six collieries but now only one remains open. Much of the concern today centres around the provision of training, both for redundant former miners and for young people who can no longer rely on a job in the mines.

So, first, Mr Kinnock went to the Westfield Resource and Enterprise Centre, set up in a former school in south Elmsall and offering a wide range of training courses and facilities. He accused the government of blocking up to £100 million of European Community funds that could be used to help regenerate areas such as Hemsworth.

In a tightly controlled programme, he met only loyal party supporters and was anxious to play down reports of dissent. He was asked what message he would send to local supporters upset at the rejection of their man and the

selection of Mr Enright. He said: "They are members of the party and Labour supporters, but it was their own conference that inspired and passed the arrangements in the Labour Party that, in by-elections, gives the final authority in the selection of candidates to the National Executive Committee, and the committee has completely discharged those functions decided upon by the rank and file of the party."

He dismissed the likely impact of the Independent Labour candidate, Paul Ablett, a director of a nursing homes company and former chairman of the Wakefield Liberal Party. He had, said Mr Kinnock, as much connection with the Labour Party as had John Major, the prime minister.

He was asked if it would not have been appropriate to have an NUM-sponsored MP in a mining constituency. "I can only refer you to my own experience," he said. "I have been a member of parliament for my constituency for 21 years and I was the first in modern political history not to have worked underground at the pit and I don't think, on the basis of the kind of support I have received from miners as well as others that anybody could say I had not been an effective MP for them and all people in the constituency."



Enright selection caused divisions in the party

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## Shortage of specialists 'hampering cancer care'

By THOMSON PRENTICE, MEDICAL CORRESPONDENT

CANCER patients in Britain might not be receiving the best care because there are not enough specialists to treat them, according to a report by the Royal College of Radiologists yesterday.

Britain is near the bottom of an international league in the number of clinical oncologists, who provide cancer treatment, the report says. It adds that despite a 20 per cent rise in the number of patients referred for treatment in the past decade, there has been no increase in consultants in the specialty since 1980.

A typical consultant sees 560 new patients a year and will have as many as 2,000 under his care at any one time, equivalent to the size of a general practitioner's list, according to the report.

The college says that clinical oncologists in Britain serve, on average, a population of 224,000 per consultant, and that among developed western countries, only Portugal and Turkey have a worse ratio. The specialists use radiotherapy, chemotherapy and a wide range of medical techniques to treat cancer.

"Many patients are not receiving the medical time and care that they have reason to expect in a modern, developed country," the report says.

Roger Ryall, registrar of the college, said yesterday: "Oncologists are working with unacceptably high workloads. There are obvious implications for the quality of care. Consultants are simply not able to devote enough time to individual patients or to keep themselves informed of the latest developments."

The report quotes research showing high stress among medical staff in a range of specialties, and says: "The position must be at least as bad in clinical oncology, where consultants are exposed

to very high workloads, and patients and families who exhibit high levels of distress, anxiety and aggression."

Cancer is the second most common cause of death, claiming more than 200,000 lives a year in Britain. The incidence of cancer has risen by 25 per cent in the past 11 years, and the present rate of increase is predicted to continue over the next decade, according to the college.

The report calls for 230 more clinical oncology consultants by the year 2000, to make 470 as "the minimum acceptable requirement". A consultant's workload should not exceed 350 new patients a year, it says.

*Medical Manpower and Workload in Clinical Oncology in the United Kingdom* (Royal College of Radiologists, 38 Portland Place, London, W1N 3DG; £5)



Success story: Stephen Hollis, aged four, who was given a heart and lung transplant 18 months ago, enjoying story time at Hnrbury nursery school near Wakefield, West Yorkshire, yesterday. It was the first time he had attended the school without his parents

## Recession puts brake on plans for railway renaissance

BRITISH Rail is in serious financial trouble, with the recession adding to the burden of government subsidy cuts of £1 billion during the Eighties and fare increases which, contrary to popular perceptions, did not exceed 4 per cent in real terms in any year in that period.

Rail planners are now looking to the Chancellor's autumn statement next month to see whether Malcolm Rifkind, the transport secretary, has been able to prise extra money from the Treasury to give substance to the government's declared aim of supporting the renaissance of the railways.

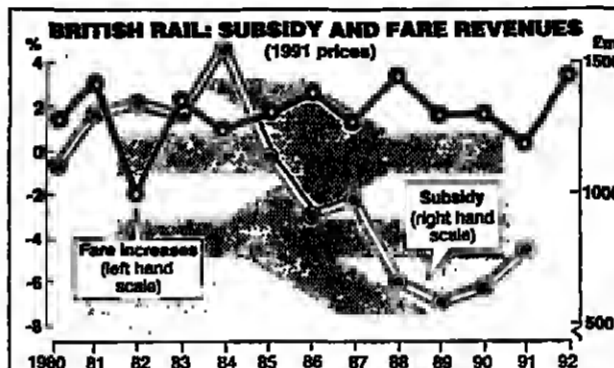
They fear that the prospects for any significant increase in funds are remote and they are braced for another round of cuts, further postponing

improvements to antiquated commuter routes. BR's recent 7.75 per cent fare increase will give the railways an extra £106 million in 1991-2. However, it will do little to compensate for declining income from fares, and the successive subsidy reductions, which fell from £1.5 billion in 1984-85 to £499 million in 1989.

Ministers have already taken some steps in case BR's predicament. In June, for example, Mr Rifkind announced that the annual subsidy for loss-making services

was to be increased to £743 million, up £185 million on the previous year. However, while overall investment is still running at £1 billion a year, the increase was not enough to compensate BR for the dramatic loss in revenue from fares and property sales that accompanied the recession. BR calculated that it needed an extra £350 million to fund the investment projects planned for 1991-2. Now all new investment schemes have been put on ice.

As well as savaging BR's investment plans, the recession has made a mockery of the financial targets the government set in 1989, calling for the elimination of the current £186 million subsidy for Network SouthEast by 1993, and the reduction of the £444 million subsidy for Regional Railways to £350 million by the same date. Neither target has been formally abandoned, although ministers have acknowledged that there is no prospect of them being reached.



Without these sources of revenue, BR's investment programme will fall even further behind schedule. One way forward would be to abolish the Treasury rules which prevent BR from obtaining new locomotives and rolling stock through leasing arrangements, as advocated last week by John Prescott, Labour's transport spokesman.

It is known that ministers have been looking at this idea, which has given rise to speculation that the autumn statement might grant BR limited access to private sector capital. Failure to find a way out of the impasse, however, could condemn passengers to putting up for ever longer with dirty, late, cancelled and overcrowded trains.

## More river polluters prosecuted

The National Rivers Authority yesterday reported a 170 per cent increase in successful prosecutions for pollution in its second year.

The authority, set up in October 1989, made 334 successful prosecutions in its first year. In its second year the figure rose to 908, and officials say that the increase shows no sign of slowing.

Lord Crickhowell, the authority's chairman, said: "The public wants and rightly expects polluters to be brought to book in this way. We have demonstrated that we will not hesitate to prosecute, when necessary, whoever the offender may be."

## Nine arrested

Nine men were arrested near Stonehenge, Wiltshire, by police investigating bare coursing. The men, from Surrey and Hampshire, were charged with trespass in pursuit of game and will appear before Salisbury magistrates on November 25.

## Tunnel veteran

The last survivor of the original Channel tunnel project, halted in 1923, has died aged 87 at his home in Kent. Fred Overton was 18 when he helped to dig the first few yards of the tunnel.

## Pill fears

Warwick University students' union has issued a warning against using caffeine-based pills, advertised as an aid to examination cramming, after concern about side-effects.

## Laser warning

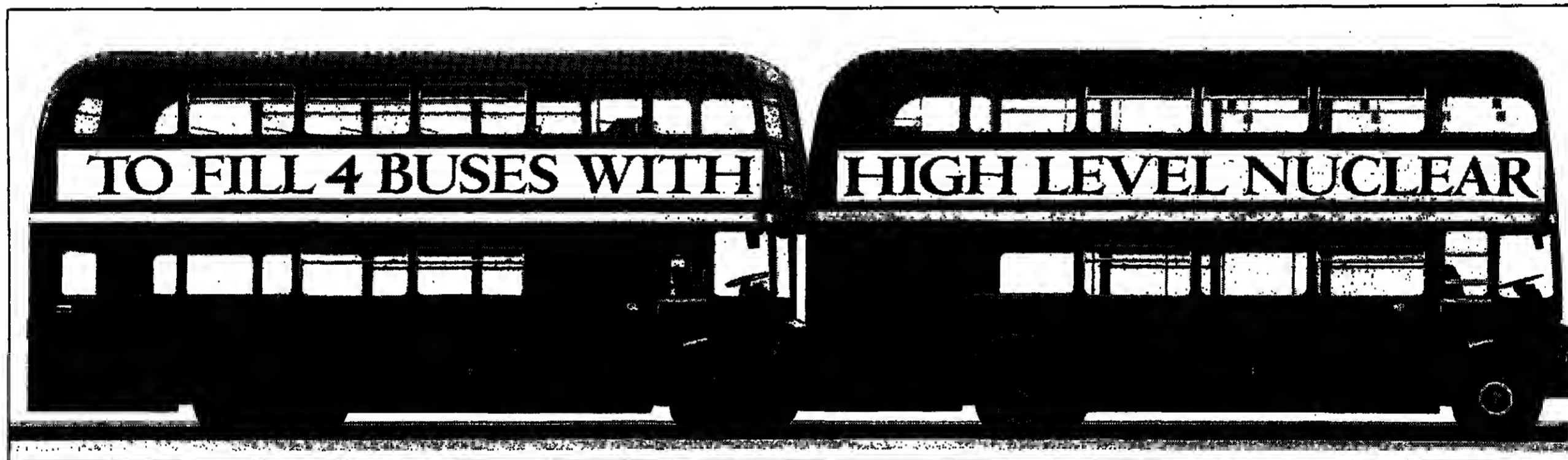
A laser gun stolen from a car outside a hospital in Bristol could blind if pointed at the eyes, police said. The gun is used to treat muscle spasms.

## Merry muscles

Fifty competitors have entered the Robin Hood and Maid Marian body-building championships in Nottingham next month.

## Signs of theft

Aluminium contraflow signs worth thousands of pounds have been stolen from the side of the M4.



WAST

## More river polluters prosecuted

The National Rivers Authority yesterday announced that 170 polluters have been prosecuted in the last year. The authority said that the number of prosecutions had increased from 150 in 1989 to 170 in 1990. The authority also said that it had issued 1,200 notices to polluters to clean up their rivers. The authority said that it had also issued 1,200 notices to polluters to clean up their rivers.

## Nine arrested

Nine people have been arrested in connection with the murder of a man in London. The police said that the man was killed in a street in London. The police said that the man was killed in a street in London.

## Tunnel veteran

A veteran of the Panama Canal Tunnel project has died. The man was 85 years old. He had worked on the project for 20 years. He had worked on the project for 20 years.

## Pill fears

There are fears that a new pill will be used to control the population of the world. The pill is called the 'Pill of the Future'. It is a new pill that is called the 'Pill of the Future'.

## Laser warning

A warning has been issued about the use of lasers. The warning is that lasers should not be used in a way that could cause harm to people. The warning is that lasers should not be used in a way that could cause harm to people.

## Merry muscles

Muscles are being used in a new way. The new way is to use muscles to control the movement of a robot. The new way is to use muscles to control the movement of a robot.

## Signs of theft

There are signs of theft in a number of places. The signs are that there are more thefts than in the past. The signs are that there are more thefts than in the past.

# Belgium urges Zaire leader to cede control of army and treasury

From SAM KILEY IN JOHANNESBURG

**BELGIUM** yesterday called on President Mobutu of Zaire to hand over power of the army and to give important economic posts to opposition groups. The Belgian government also said it was sending 100 more troops to protect expatriates fleeing Kinshasa. Zaire's riot-torn capital.

In London, the Foreign Office repeated advice to Britons to leave the country, and the last 160 British nationals in Kinshasa, under the protection of British security forces flown in last month, were urged to go to safe houses. It

said that once the Belgian and French evacuation was over, probably at the end of the week, it was likely that no further large-scale evacuation would take place. In naming the posts he wanted handed over, Mark Eykens, the Belgian foreign minister, went further than his government had previously gone in pressing Marshal Mobutu to step down. "We think the president should abandon the key elements of his power... control over the army, the finances and also mining," he said.

Kinshasa and the regional capitals have been devastated by a second bout of rioting and looting by members of Zaire's armed forces over the past week. The first wave, at the end of September, brought a stumbling economy to its knees and led to the arrival of French and Belgian troops to protect foreign nationals.

The Belgian and French army continued yesterday to evacuate foreigners across the Congo river to Brazzaville and to other neighbouring countries. America and Canada also urged their citizens to leave. Evacuation flights have been planned from all areas of Zaire and began departing yesterday. Those wishing to leave were told to assemble with just one piece of luggage and to leave pets behind. But refugees said that Belgian paratroopers putting foreign citizens on military transport planes out of Lubumbashi turned a blind eye to excess luggage and even kennels.

Zaire's economy is at a standstill. Anti-Mobutu strikers have stopped work at the Gécamines copper mining operations in Lubumbashi and Kolwezi, where up to 60 per cent of the country's foreign exchange earnings are generated. Mr Eykens said that, as long as Marshal Mobutu clung to power there was little hope of saving the former Belgian colony from chaos and putting the economy on its feet.

## Liberals triumph in Colombia polls

From REUTER IN BOGOTÁ

**ELECTIONS** for congress and provincial governorships in Colombia have confirmed the strength of the ruling Liberal party and ended the two-party system which had dominated the country for more than 150 years.

With votes from more than 70 per cent of polling stations counted after Sunday's elections, the Liberals were on course to win 56 seats, an absolute majority, in the 102-member senate. But high abstention rates, estimated at up to two-thirds of the 15 million electorate, soured victory for President Gaviria. He had hoped that recent constitutional reforms would increase public participation in politics.

The Liberals will face a fragmented opposition in the upper house. The Conservative party, which had alternated in power with the Liberals since the last century, saw its support decrease sharply. Together with independent Conservatives, the party is likely to have 15 seats in the senate. The Conservatives had 41 seats in the old 114-member chamber.

The conservative New Democratic Force, launched just a few months ago by Andrés Pastrana, the former Bogotá mayor, will have ten seats in the senate, according to projections. M19, a former guerrilla group which turned to peaceful politics after signing a peace accord with the government last year, is forecast to win nine seats.

The Liberals were set to win 78 seats to the 161-member lower house, making them by far the biggest party. The Liberals were also leading in the first direct polls to elect provincial governors, previously appointed by the president, and were ahead in 15 of the 27 provinces.



## Sex blackmailer lands in alphabet soup

From REUTER IN HONG KONG

**CHIN** Chi Ming, aged 33, a bespectacled Hong Kong businessman who tricked local film starlets into sex romps then blackmailed them, was jailed for four years yesterday at the end of a trial that had titillated the colony for months.

Judge Barbara Chan dismissed pleas put forward in

mitigation that Chin had a dual personality and found him guilty on ten of 11 charges of blackmail, theft, procurement and criminal intimidation. Chin said that he would appeal against his conviction.

Featuring a colourful array of witnesses, including beauty pageant contestants and actresses, Chin's trial, which began in July, attracted unprecedented crowds. The fact that the victims were sup-

posedly anonymous (they were named as Miss A, B, C, D and E for their protection) ensured added suspense. Local newspapers carried almost daily reports, and one businessman started a telephone hotline to provide a scandal-bungy public with some of the trial's more salacious details.

Chin was found guilty of deceiving the women into having sex with him to return

for promises of film contracts. He later blackmailed them with photographs he took of the women. Curiously, some of the actresses, whose identities eventually became widely known, found that involvement in the case gave their careers a boost.

In mitigation, Chin's defence spoke of the "greed and selfishness" of the so-called alphabet girls and said they had taken advantage of him.



Step this way: an elderly Chinese couple, one of thousands, going through their tango, fox-trot and waltz routines during an early-morning workout in a Peking park

## Imelda's shoes are made for hawking

From ABBY TAN IN MANILA

**IMELDA** Marcos is coming home. The curtain will go up on the theatre of the absurd the moment she steps off the plane at Manila airport next Monday.

The former Philippines First Lady apparently plans to auction her famous collection of shoes to raise funds for victims of the Mount Pinatubo eruptions. More than 1,200 pairs have been on display at the presidential palace after being abandoned when Mrs Marcos and her late husband, Ferdinand, the former president, fled into exile.

Filipinos are assured that her homecoming will be unparalleled entertainment. The show is about money, power, the ability of Mrs Marcos to exploit the media, and the government's ineptitude in the same field. Filipinos do not seem interested that she is coming back to face trial for her part in allegedly robbing them blind during her husband's 20 years in power.

Mrs Marcos will return from exile in a flourish with a plane-load of foreign journalists in tow. The "Imeldific" treatment — she coined the word herself to describe her extravagances — from supporters and an avid press is something she has cultivated. Aged 62, she has adopted a strategy that wore down President Aquino, who led the popular revolt which chased the Marcoses to Hawaii in 1986.

Mrs Aquino was adamant that neither Mrs Marcos nor Marcos's body, kept in a refrigerated crypt in Hawaii, could return. But Mrs Marcos's antics finally exhausted Mrs Aquino, who is to allow the body back before her term in office ends next May.

Mrs Marcos has turned the tables, managing to project herself as a victim of injustice. She faces charges of tax evasion, grabbing land and theft of state money. But it will be the weeping, fainting fits and remarks such as "Beauty is my destiny" that will keep her on the front pages.

## Wedding grenade kills six

**Johannesburg** — Six people died when a grenade exploded at a crowded wedding reception in Natal, during a week-end of political violence in South Africa in which at least 13 people were killed, police said yesterday.

Police reports said that most of the violence was in Natal, where 11 people were killed. The dead included a police officer who was stabbed to death near Durban.

Apart from the six people killed, at least ten were injured when a man hurled a grenade at the wedding reception in a house at Umbumbulu, near Durban, late on Saturday. The Zulu Inkatha Freedom party said that the house belonged to one of its leading supporters in the area, but he had not been hurt in the attack.

Efforts to halt factional violence between blacks, with the signing of a peace treaty on September 14, have had little effect. More than 160 people have since died in political violence. (AFP)

## Vice tackled

**Peking** — In advance of the arrival of foreigners for the women's football World Cup, police in the southern Chinese province of Guangdong have arrested 1,774 prostitutes working for 391 gangs. The *China Daily* said 827 brothels had been closed, along with 472 hotels and other places linked to prostitution. (AFP)

## Diplomatic ties

**Taipei** — Taiwan plans to lift a four-decade ban and allow mainland Chinese who are married to Taiwanese to join their spouses on the island, officials said. A spokesman for the Taiwan cabinet's mainland affairs council said the change was made for humanitarian reasons. (Reuters)

## End of the trail

**Adelaide** — Jimmy James, the renowned tracker named Australia's first Aboriginal of the Year in 1983, has died in a nursing home here, aged 83. He helped capture more than 40 criminals between 1958 and 1984 and in 1966 found a missing girl by spotting blood on a wire fence from 20 paces. (Reuters)



**A**re you surprised at how little high level nuclear waste has been produced?

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However, we have brought into operation a process called 'vitrification', in which liquid waste is converted into glass and sealed inside stainless steel containers to be kept safe for the indefinite future. This method reduces the waste to 1/3 of its original volume. Or, to look at it another way, all the high level waste produced at Sellafield in the last 30 years could be contained in just 4 double-decker buses.

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Intensive investigations have been carried out at sites at Sellafield and at Dounreay in Scotland to assess their suitability as a deep underground repository for intermediate and low level radioactive waste. Sellafield has been chosen as the site at which further investigations will be concentrated.

If you'd like to know more about the way we manage nuclear waste, write to British Nuclear Fuels, Information Services (B), Risley, Warrington WA3 6AS for our nuclear waste brochure.

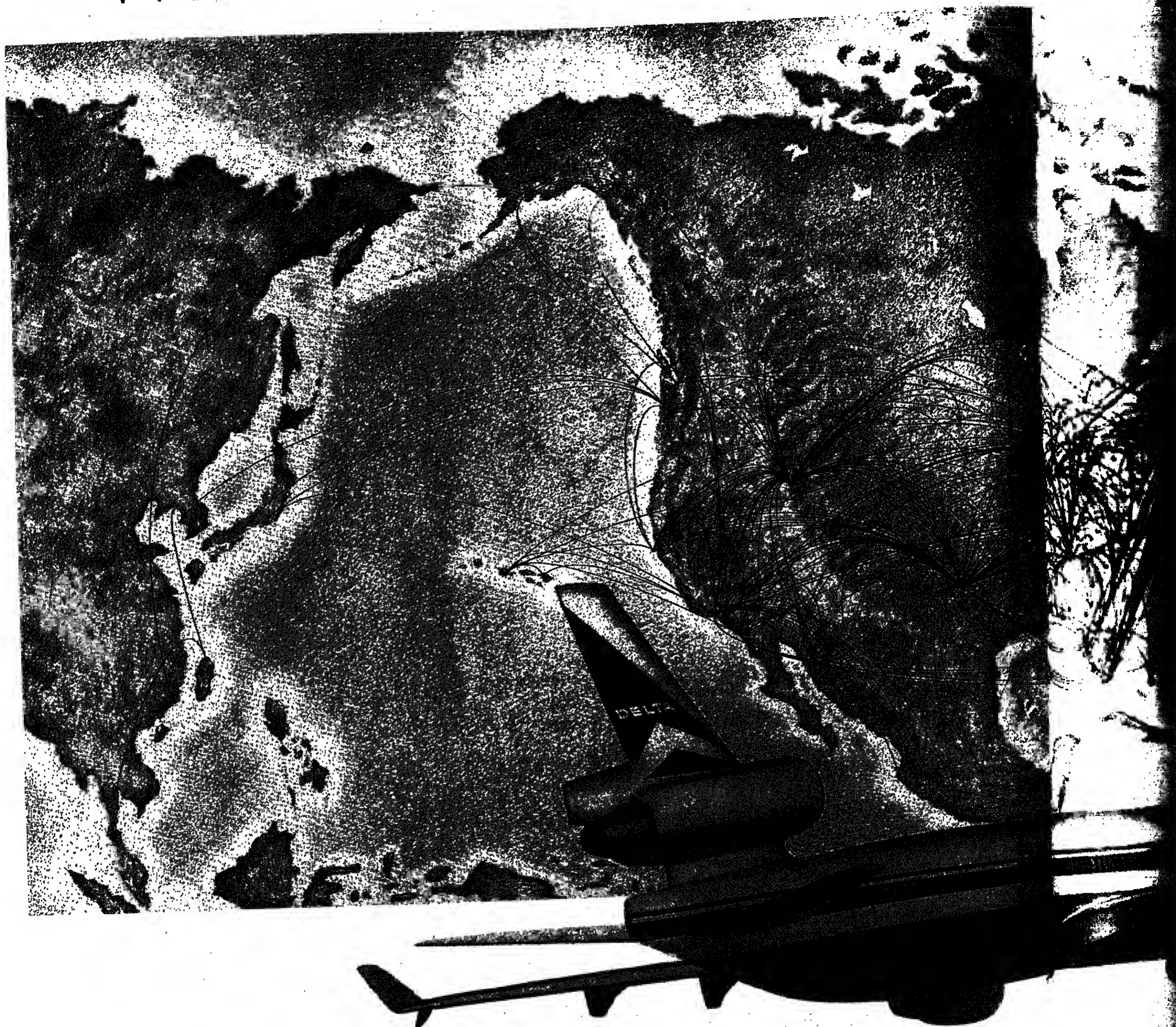
Better still why not come and visit us at the Sellafield Visitors Centre in West Cumbria.

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From left, Delta Flight Attendant Bonita Caringola, First Officer Timothy Therrell, Captain Larry Bacon and Flight Attendant Stephanie Allen.

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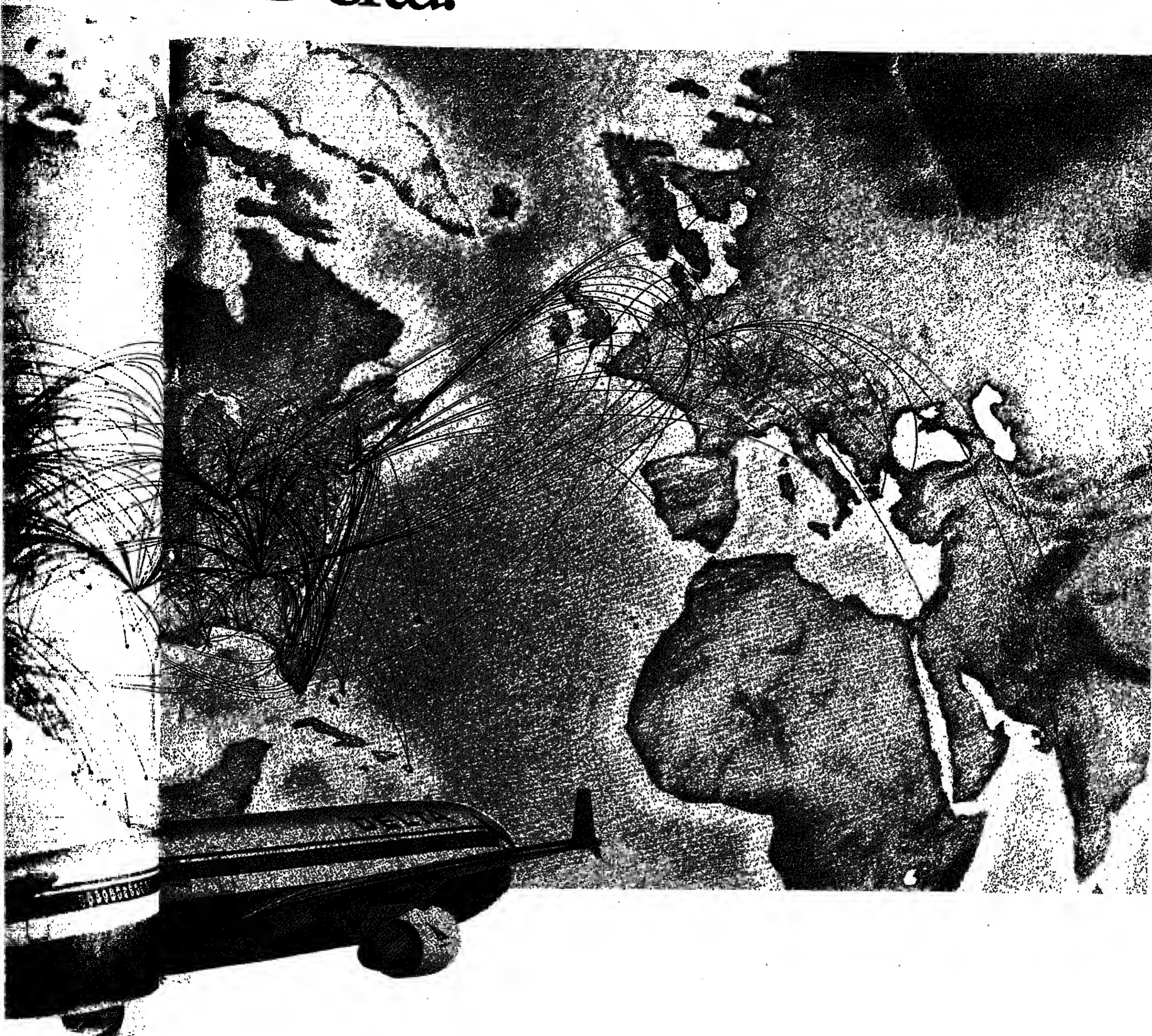
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## Gorbachev returns to world stage in Madrid on eve of Middle East conference

## Arab gunmen kill settlers in bus attack

From CHRISTOPHER WALKER in MADRID  
AND MARTIN FLETCHER in WASHINGTON

PRESIDENT Gorbachev and President Bush will hold a three-hour summit today on the eve of the Middle East peace conference, with the Soviet leader making a dramatic return to the world stage for the first time since the August coup attempt and both leaders keeping an eye on their domestic standing as well as Arab-Israeli peace.

Members of the joint Palestinian and Jordanian delegation to the conference arrived waving olive branches. But in the occupied West Bank, the key to any future land-for-peace deal, two Israeli settlers were killed and five wounded when armed Palestinian militants attacked a bus. The bus was carrying settlers to a demonstration in Tel Aviv to urge Yitzhak Shamir, the Israeli prime minister, not to give up land at the Madrid talks.

In Madrid, security was very tight because of threats from Arab and Jewish extremists. The Bush-Gorbachev meeting — their seventh — will be held in the Soviet embassy. Washington is anxious that the encounter should do nothing to detract from the Middle East negotiations. But American sources said Mr Bush regards his first chance to question Mr Gorbachev in person about affairs in the crumbling Soviet Union as just as important.

Apart from arms control, which will be a key topic, the summit agenda includes the Soviet Union's economic collapse and its pleas for Western help. State department sources said it was not yet clear whether Mr Bush will be prepared to offer additional cash. The president has already approved \$1.5 billion (£877 million) in loan guarantees for grain purchases and pledged extra assistance.

The sources said that Mr Bush would question Mr

Gorbachev about a treaty for a decentralised economic union. Eight republics, including Russia, have signed the accord but four others, including Ukraine, have declined.

The superpower leaders last met in Moscow at the end of July, three weeks before Krenko hardliners tried to remove Mr Gorbachev from power. That meeting led to the decision to hurry former differences in the Middle East and work together for peace.

Mr Bush regards bringing Arabs and Israelis together as a great achievement for his administration. But the American people are demanding that their president direct his energy to the urgent problems at home, not least the struggling economy.

He will spend barely 24 hours in Madrid before flying home. Mr Bush will meet the heads of delegations and deliver a short speech. He is expected to lay out what he sees as the basic requirements for a settlement, including the trading of Israeli-held land for genuine peace, but not a detailed blueprint, all participants having agreed that Washington should be a catalyst of peace, not its engineer.

The American gameplan is to keep the Arabs and Israelis talking long enough so that old psychological barriers begin to erode and negotiations of real substance emerge. When the second stage, the direct Israeli-Palestinian and Israeli-Arab talks, begin, American officials will be on hand, working behind the scenes to encourage small confidence building gestures and to offer advice on how to surmount the seemingly insurmountable. When the direct talks begin, said one official quoted in Sunday's *New York Times*, the Americans will be standing "just outside the door, whispering to both sides".



Security lesson: Madrid schoolgirls file past an armoured personnel carrier and anti-terrorist police guarding the palace where the peace talks start tomorrow

## Shamir resists call for goodwill gesture

From BEN LYNFIELD in JERUSALEM

YITZHAK Shamir, the Israeli prime minister, yesterday debated strategy for the Madrid peace talks with the rest of his negotiating team and appealed to leaders of the opposition Labour party to support his position.

The Israeli delegation, due to arrive in Madrid this morning, appeared yesterday to be preparing for increased Arab and American pressure to stop building Jewish settlements in the occupied territories. After meeting leaders of the opposition Labour party, Mr Shamir ruled out a freeze on the settlements as a goodwill gesture to the Arabs. "We cannot accept pre-conditions before the negotiations," he said. "The minute we announce the halting and freezing of settlements, we weaken our stand."

Benjamin Netanyahu, the Israeli deputy foreign minister and spokesman for the delegation, said the government was concerned that the Arab side might seek to disrupt the talks before bilateral negotiations could begin, saying: "I hope the Arab states do not try to sabotage these talks... the simplest way to do this is to set up many pre-conditions."

Labour favours the "land-for-peace" formula which Mr Shamir opposes, but has said that it will back him as long as there are signs of progress at the talks.

## Key to peace lies in hands of an unlikely pragmatist

Yitzhak Shamir, the Israeli leader, is not about to abandon the commitment that has sustained him for 50 years, Richard Beeston writes from Madrid

When Yitzhak Shamir, the short, stocky Israeli prime minister, arrives in Madrid for the Middle East peace talks today, he will seem an unlikely figure to determine the course of history in his troubled region. Unlikely it may seem, but he indeed holds the key to settlement of the Palestinian question and an end to the Arab-Israeli conflict.

When he finally gave his grudging undertaking in August to attend this week's peace conference, the Israeli leader, aged 76, made clear to James Baker, the American Secretary of State and architect of the negotiations, that he was a reluctant and suspicious partner in the process, but that, like many of the Arab leaders, he had no choice but to accept the American invitation. All Israel's pre-conditions had been met, first by Syria, which agreed to face-to-face dialogue, and then by the Palestinians, who excluded the Palestine Liberation Organisation from the process. The Bush administration had also made clear that it was willing to use unprecedented financial leverage to ensure Israel's attendance.

But, since the momentous day Mr Shamir agreed to attend, summed up in the image of a beaming Mr Baker and a tight-lipped Mr Shamir on the steps of the prime minister's office, the government, the most right-wing in Israel's history, has been at pains to emphasise to its electorate that it will never allow the removal of the main pillar of its ideology, which is that it will make no territorial concessions on the lands occupied by Israel during the six-day war in 1967.

That stand could be dismissed as a pre-conference negotiating tactic aimed at securing the best deal for Israel at the talks, but that argument fails to take into account Mr Shamir's personal resolve to stand by his ideology. In public and in private alike he has stuck tenaciously to the principles that 50 years ago launched him on a career as a ruthless guerrilla leader in the Stern Gang when it waged its bloody campaign against the British mandate.

While it may be difficult today to discern any remnants of the underground leader in the introverted grandfather who enjoys an early morning stroll and the odd glass of red wine, the ideological commitment to a "Greater Israel" encompassing the West Bank, the Gaza Strip and the Golan Heights, remains resolutely unshakable.

In a recent interview he admitted: "I live for work ever since I dedicated my life to one purpose: Israel will be defended against all those who want to destroy it, and we are going to make it indestructible and strong."

The hardline attitudes — nurtured in the aftermath of the Holocaust, when his family were murdered in Poland, and subsequently developed in his fight against the British and later the Arabs, when he ran Mossad's European division from Paris — are most clearly visible today by looking at Israel's domestic political scene.

Mr Shamir could, with great ease, form a national unity government with the opposition Labour party and negotiate a compromise solution with the Arabs over the occupied territories with a clear mandate from the public. Instead, he prefers to keep his Likud-led government's slim majority by accepting the help of tiny extremist right-wing parties opposed to any concessions.

Taking into consideration his personal commitments and the constraints presented by his government, it would seem almost inevitable that Madrid is doomed to go the way of other failed initiatives in the region and that Mr Shamir will return home with nothing to show for what was billed as an historic event.

That prediction, however, ignores the new world order envisioned by President Bush for the Middle East, where the spoils of the Cold War are expected to follow the way of Eastern Europe, South Africa and the scores of regional conflicts that have become anachronisms.

Israel's leader is astute enough politically to know that rehearsing the same tired arguments will no longer satisfy an impatient world community, led by an American president who is likely to remain in office for a second term and will continue to make a Middle East settlement one of his top foreign affairs priorities.

The Israeli leader has already proved that political pragmatism is not impossible. Israelis discovered this anew when they were bombarded during the Gulf war and Mr Shamir chose not to retaliate against Iraq in spite of calls for action from his right-wing supporters.

How Mr Shamir hopes to reconcile the great expectations of his people and the world while adhering to his fundamental principles is not at all clear. Should the Madrid talks fail, further talks will in all likelihood be convened until a settlement is concluded or the region erupts in a new war. Before that point is reached, Mr Shamir may, by his own admission, decide he no longer wants to be held responsible for making the country's most fateful decision.

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## Hamburg officers uncover tank deal

Bonn — Germany said its spy agency tried secretly to ship 12 Soviet-built tanks to Israel for testing, presumably to determine the capabilities of weapons used by its Arab neighbours. The tanks, listed as farm equipment on ship manifests, were seized at the weekend at Hamburg harbour before they could be loaded onto an Israel-bound ship, Hamburg prosecutors said.

They added that the attempted shipment might violate German export laws which bar sending weapons to areas of tension such as the Middle East. The tanks once belonged to the East German army. The German economics ministry said that no permit had been requested for the shipment, which is normally needed even for goods that could be used to produce weapons.

The seizure seemed to embarrass government officials, who have been threatening private German companies with harsh penalties if they are found to have illegally provided weapons to other countries. Helmut Schäfer, a spokesman for Helmut Kohl, the chancellor, said he did not think export laws were violated. He said the German federal intelligence service had arranged the deal with Israeli intelligence and that the tanks were to be used for testing, not warfare. Herr Kohl had been in the dark about the planned shipment until yesterday, Herr Schäfer added.

## Asylum plea

Jerusalem — Six Iranians caught trying to enter Israel from Jordan have asked for political asylum. Opponents of the Tehran government, they had escaped from prison in Iran before making for Iraq, where they were detained. They again escaped but were captured by Kurdish rebels and later fled to Jordan. (AFP)

## Hogg appeal



Dubai — Douglas Hogg, above, the Foreign Office minister, urged the Arab Gulf states to lend their support to the Middle East peace process. On an official visit to Abu Dhabi, he said that, like Britain, they could play a very important supportive role.

## Envoy injured

Jerusalem — Roger Harrison, the American ambassador to Jordan, was injured when his car was involved in a collision with another car on the Tel Aviv-Jerusalem road, Israeli police said. A woman in the other vehicle was killed.

## Turks leave Iraq

Ankara — Turkish forces have withdrawn from northern Iraq after carrying out an "annihilation operation" against separatist Turkish Kurds. A general staff spokesman said. A Kurdish radio station in Iraq said 12 people had been killed in Turkish raids on eight villages in the north of the country. (Reuters)

## MADRID NOTEBOOK by Christopher Walker

## Billing and cooing for press flock

Limering up impressively for the 1992 Olympic Games in Barcelona, the Spaniards have displayed unexpected efficiency in laying on, in less than two weeks, facilities for what officials claim is the largest media service ever staged. More than 4,500 journalists are flocking to Madrid for today's Bush-Gorbachev summit, and the joint opening tomorrow of the Middle East peace conference.

Aside from the security headaches, the logistics speak for themselves. One thousand new electric typewriters have been purchased for the media throng, who will sit at white desks under huge screens in what looks like a futuristic classroom. Forty machines have Hebrew script and 50 have Arabic.

Telefónica, Spain's much criticised telephone monopoly, is trying to lighten its image by assigning 2,000 people to provide commun-

ications for reporters and delegates. Eight hundred lines are being installed in the imposing royal palace, where the ceremonial opening will take place. Many delegates are said to be



paranoid about the chances of bugging.

An army of translators has been hired. Spanish, English, French, Russian, Arabic and Hebrew are all recognised as official conference languages.

The press is being housed in the Pabellón de los

Cristales, a huge glass exhibition hall in the Casa de Campo park, well away from the palace. A shuttle bus service between the two has been arranged, but already is falling foul of Madrid's notoriously congested traffic system.

The mayor of Madrid has pleaded with citizens to display goodwill and tolerance. "It is an honour and responsibility for Madrid to provide those who come in search of peace with all they need to carry on their important mission," he said. "Citizens should show their well known affability to our visitors."

In a move to reduce congestion, the second round of the conference, the crucial bilateral talks between Israel and Syria, Israel and Lebanon, and Israel and the joint Jordanian-Palestinian delegation, will start on Sunday or Monday at so far secret locations on the outskirts of

the capital. Reluctantly, the Israelis are reported to have agreed that the opening stage of round two will take place in Madrid, rather than in the Middle East. If the talks continue, officials expect them to move later to venues in the Middle East.

Syria had pressed hard for Madrid to remain the location for the full second round to give an international gloss to its meeting with Israel. According to Spanish sources, the Israelis were reminded of the huge cost of the operation and told by the Americans that they would have to swallow their pride and see round two at least open in Madrid.

Such is the sensitivity of the backstage bargaining required even to bring the opposing sides to the table that a debate has been in progress about whether Pepsi or Coca-Cola should be served in the palace. Coca-Cola is banned in Arab countries because it is sold in Israel.

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Is Franz Welser-Möst the right choice to make the London Philharmonic world class? Richard Morrison asked him

## A baton charge to new heights

Just over a year has passed since the surprise announcement that the new music director of the London Philharmonic was to be an Austrian conductor who had just turned 30. The question marks remain. Franz Welser-Möst, who conducts the orchestra at the Festival Hall tonight, has climbed the musical ladder so fast that he is not even mentioned in the 1987 edition of John Holmes's definitive dictionary of conductors. Not under "Welser-Möst", the double-barrel he has adopted professionally, presumably because it has a harmonious sort of ring to it. Nor under plain "Franz Möst", which was his original name; nor yet under "von Bennigsen", which is his legal surname (taken when his wealthy patron, Baron Andreas von Bennigsen, adopted him as a son).

*'I see my role more as primus inter pares, rather than a dictator with a whip in the right hand and an axe in the left'*

The problem is that Welser-Möst has many names but little track record. To such diverse questions as "How does he interpret Mahler's Sixth?" "Will he be a box office draw?" and "How will he deal with an ageing player?" there are no answers so far except conjecture. Yet the job he has been given — leading the LPO into its new Festival Hall residency, and justifying the South Bank's faith by producing world-class performances — could be the most influential in British music. Moreover, he has been given powers to shape the orchestra's personnel that none of London's traditionally self-governing orchestras has ever before invested in a conductor.

Already there have been some casualties. This summer, five LPO players resigned from the orchestra's board. The principal violinist has gone, apparently after a disagreement with Welser-Möst. Also departed is the chorus master of the London Philharmonic Choir.

So does the new music director want to revert to the era when conductors were autocratic tyrants, able to hire and fire at will? "That would be a wrong understanding of democracy. Democracy means you elect someone for a period. Then, if you don't like him you get someone else. An orchestra can't vote on how to interpret each piece of music. But if they don't like me or my interpretations they can kick me out. That's why I insisted on the contract I have at any time, either I or the orchestra can give two years' notice."

"Anyway, I see my role more as *primus inter pares*, rather than a dictator with a whip in the right hand and an axe in the left. If we succeed then it's our success; if we fail, then we all have failed."

Nevertheless, Welser-Möst has already laid down the law on one long established London custom: the tendency of players to float between rival orchestras. He is not the first to have made such a stand. Sir Henry Wood tried and failed to stop his players freelancing 80 years ago. Welser-Möst believes that the LPO will never develop into a world-class ensemble until it has a stable membership.

"This business of players coming and going will change. It's changing already, simply by the powers they have given to me. We are really working to get a London Philharmonic team. The players can either take it or leave it, but they won't be able to run around playing here and everywhere. Of course it comes down to practical matters as well; how much can you offer players to make them take this step?"

The money issue is fundamental.



Firm believer that a resident orchestra requires full-time commitment from all players: London Philharmonic conductor, Franz Welser-Möst

Thanks to City of London municipality, the London Symphony Orchestra is already offering players handsome rewards, so is Simon Rattle's City of Birmingham Symphony Orchestra. If the Royal Opera House pay dispute is settled to the players' satisfaction, then the Covent Garden pit will also become attractive to top instrumentalists. So the LPO cannot expect to attract the best players simply by virtue of its Festival Hall residency. Yet the Arts Council, which supported the South Bank's residency scheme, has so far failed to produce anything like the cash needed if the LPO is to make its quantum leap.

"It's not about getting 90 people to play nicely on the night," says Welser-Möst. "You can achieve that with any youth orchestra. But the powerful personality of orchestras like Cleveland, Vienna, Chicago and Berlin is developed through years of stable membership. When I had a meeting with the Arts Council, we agreed that if we can't now break this pattern of

London orchestral life, then it's a big chance lost. It won't come back for many, many years."

Rather touchingly, Welser-Möst is leading by example. His players will not be able to moonlight, but neither will he. "I want to commit myself not only to the LPO but to London musical life. People are always mentioning the great conductors of the past. What did they do? They stuck to one orchestra and one city. From 1992, I have cleaned my calendar. I will not guest-conduct any orchestra in Europe, because the LPO is my orchestra and Europe is our market."

Of course, cynical players (there are one or two around, even in the born-again LPO) might point out that Welser-Möst's diary has never exactly bulged with guest-conducting engagements in Berlin, Vienna or Amsterdam, so his sacrifice is not overwhelming. His reputation has been founded almost entirely on his LPO concerts, since a memorable Sunday

afternoon in 1986 when he made his Festival Hall debut in classic fashion, by stepping in at the last moment to conduct Mozart's Requiem.

Did he feel that he was being given too much responsibility too early when he was offered the LPO directorship? "No. When they asked me, I knew I had the trust of the players. I just thought, OK, if they believe I'm the right choice then it's their problem."

Nobody meeting Welser-Möst can fail to sense the raw ambition and determination lurking beneath the veneer of Austrian courtesy. When challenged about the departure of the London Philharmonic Choir's chorus master, for instance, Welser-Möst reveals the steel claw beneath the velvet glove. "It's very simple. Richard Cooke couldn't give enough time and care any more. We had to change, because quite a few of my conducting colleagues complained. The chorus has continuously gone down, and I'm not the only one who says that. Now we are re-

auditioning — well, choruses should be re-auditioned once in a while and [Cooke] didn't do that for a long time. I don't know why people are making such a big fuss over it."

Welser-Möst's musical strength lies in the mainstream Austrian tradition, and he is unashamed about pledging more of the same. "For the sake of the orchestra, they must play more Mozart, Haydn and Schubert. You hardly ever find Haydn or Mozart among symphony orchestra programmes in London, except maybe in this bicentenary year." Is that because symphony orchestras have re-nounced this territory to the period-instrument ensembles? "That is one reason. The other is that not many of my colleagues can conduct it well these days."

If the young maestro's music-making is as breathtaking as his opinions, London will be richly entertained in coming seasons.

● Franz Welser-Möst conducts the LPO at the Festival Hall tonight at 7.30 (071-928 8800).

### BRIEFING

#### Sights set on vessel

HAVING filled the Tate with various enormous metal "vessels", Sir Anthony Caro is moving still closer to nautical areas. A 40-foot-high steel sculpture by him will soon grace Poole Harbour in Dorset. *Sea Music* is not simply a work of art; it will also act as a landmark for ships entering the harbour, and will incorporate platforms offering views from the quayside. Lord Palumbo, the Arts Council chairman, unveils it on November 22.

#### Post signed

JOHN Casken, winner of the 1990 Britten Prize for composition, is to become the Northern Sinfonia's first composer in association, a new post funded by the Arts Council. Casken has had a long artistic relationship with the Northern Sinfonia, which is presently touring his new opera, *Golem*. He will spend the next two years composing for the Sinfonia and associated ensembles.

#### Theatrical lot

SOCK suspenders that belonged to Noel Coward, the dress worn by Peggy Ashcroft when she played Catherine of Aragon: these are among the theatrical memorabilia being auctioned in Norwich on Friday night to raise money for the city's new Playhouse. Nearly 150 lots, donated by some of Britain's best-known theatrical names, will be sold at Glennie's auction rooms.

#### Last chance...

REPORTED sightings of Christ in a Highland village may sound a weird idea for a play, but David Ashton's engaging *A Bright Light Shining* (Bush, 081-743 3388, to Saturday), pulls several surprises out of the Scotch mist. Acted by Dominic Dromgoole's splendid cast of four, the dialogue cascades along with wit and originality.

### Hamburg officers uncover tank deal

Bonn — German and US spy agencies have secretly tapped Soviet radio transmissions to determine the capabilities of weapons used by the Arab as tanks equipped on ship. The tanks were seized at the we know at Hamburg harbour before they could be loaded onto an Iraqi-bound ship. Hamburg prosecutors said they asked that the aircraft carrier export laws which limit the export of weapons to areas of conflict such as the Middle East. The tanks once belonged to the East German army. The communist economic ministers said that the permit had been requested for the shipment, which is normally needed for goods that could be used to produce weapons.

The tanks seemed to have been part of a German export of tanks, which has been threatened by the American companies which have been providing weapons to other countries. Helmut Kohl, the German Chancellor, said he did not think the tanks were to be sold. He said the German Federal Intelligence Service had arranged the deal with Iraq, and that the tanks were to be used for training. Kohl said that in the data about the planned shipment, which was sent to the US, it was stated that the tanks were to be used for training.

### Asylum plea

Jerusalem — No Israeli court has yet ruled on the plea for political asylum made by a Palestinian who has been accused of killing a Jewish settler. The man, who is now in custody, is alleged to have shot the settler in the West Bank town of Hebron. The man's lawyer has argued that his client was a member of a resistance group and was acting in the name of the Palestinian people.

### Hogg appeal

London — The Home Secretary, Douglas Hogg, has announced that he will appeal against a decision by the Immigration and Asylum Tribunal to grant asylum to a man who had been convicted of a serious crime in his home country. Hogg said that the man, who is now in custody, had been convicted of a serious crime in his home country and that the Immigration and Asylum Tribunal had granted him asylum on the grounds that he was a victim of political persecution.

### Envoy injured

Baghdad — A British envoy was injured in an explosion in Baghdad. The envoy, who was on his way to a meeting with Iraqi officials, was hit by a car bomb. The explosion occurred in a busy area of the city and caused significant damage to the surrounding area. The British government has expressed its concern for the safety of its envoys in Iraq and has called for a thorough investigation into the attack.

### Lords leave Iraq

London — The British lords have left Iraq after a period of several months. The lords, who were part of a British expedition to Iraq, have returned to their homes in the United Kingdom. The expedition was led by a British lord and was aimed at studying the ancient ruins of Iraq. The lords have reported that they had a very successful trip and that they had discovered many important archaeological sites.

### Press flock

London — A large number of press photographers and journalists have gathered outside the House of Commons. They are waiting for a statement from the Prime Minister. The press flock is a common sight in London and is often the result of a major announcement or a controversial statement. The press flock outside the House of Commons is a sign of the importance of the events taking place in the British government.

### RADIO

## Pointless phone-in for transparent phonies

"HELLO there, punters. At last!" An audience with the Queen is generally of short duration and small content, and the same is true of Julian Clary, this year's licensed media queen, who spent Friday evening soliciting phone calls on the subjects of dreams, fame and happiness.

Inspired by this intellectual challenge, Andy from Enfield rang the studio to divulge a persistent dream in which he, a good cowboy, was killed by bad cowboys. "Sounds a bit fruity to me, Andy," Clary proposed. "Some sexual connotation? You're looking for an all-male group sex session," he briskly decided. Andy from Enfield was patently too embarrassed to demur.



Julian Clary: arch, and as camp as Butlin's

If the ambition of Radio 1's *Intimate Contact* with Julian Clary is to achieve an epic pointlessness, one can only say that it succeeds. It is far too formulaic to be an efficient parody of other phone-ins — who is patronising whom, anyway? — and one suspects that Clary would fail to get full mileage from a genuine weirdo because he would hate to be upstaged. If he is a comedian, he plainly needs straight-men. Not, how-

ever, "straight" men. His broadcast colloquies with teenage boys, whether or not they dream of being Sello-taped by Deirdre Barlow, will be a matter of concern in some circles. Large saveloys are a staple of his imagination. No doubt in the weeks to come we shall proceed to the

mysteries of nipple erection. He does have an advantage, however. Compared with the usually assertive, overconfident primitives who routinely pollute the waveband, Clary is clever (he knows words like "connotation"). He is also arch, pert, deflating, self-referential and as camp as Butlin's.

The programme is a kind of indoor golf in which callers tee up ambivalent proposals for the host to tunk down the fairway, with variable success. When every other caller sounded like a transparent hoax — especially the ostensibly reasonable ones, especially the one who actually was Alan Freeman — it was refreshing to hear someone accuse Clary of shoplifting. "I'm losing you, Gary," Clary flannelled, and there was a rapid squelch. Goodnight, Gary.

THERE is a pretty clear case for turning *Start the Week* (Radio 4, yesterday) into a phone-in, which would at least give listeners the opportunity to ask how the programme selects its guests. I apologise; that title should of course read *Start the Week*. Arthur Miller, Brenda Maddox, Bill Buford and the singularly loquacious Garret Fitzgerald wrapped their grey matter around the possibility of Britain's leaping forward into the 18th century by adopting a written constitution. Miller was mystified. Why, in his native America, "if there were no written rules there would be chaos."

One would like to lead this optimistic dinosaur into an American courthouse on an average day, and ask him with all courtesy to point out exactly where the chaos is being kept at bay. It is precisely through appeals to that impossible document, the American Constitution, that the lawyers gorge themselves. If this nation were to follow suit, it is given that its publication would be plugged on this programme.

MARTIN CROPPER

ARTS REVIEWS  
Benedict Nightingale on theatre, plus rock  
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### THEATRE

## Father of tragedy returns in triplicate

Harry Eyres sets the scene for the Royal Shakespeare Company's epic plunge into Sophocles' timeless dramas



Christopher Saul, Sian Rüdiger and Angus Wright rehearse for the trilogy

girl defies a sinister state authority to pay private dues, resonated with tremendous, liberating force in occupied France. In the wake of Hitler's defeat, Brecht adapted the same play, using Hölderlin's translation, to show how a brave individual could inspire rebellion against a corrupt warmongering regime (a new version of the Brecht *Antigone* opens at the Battersea Arts Centre in early November).

But the distinguishing mark of the present Sophocles revival is that we are at last beginning to see him for what he was: not a political writer, philosopher, moral sage or schoolmaster, but one of the most daring, unflinching and technically accomplished dramatists of all time. Nobody, not even Shakespeare, has got closer to the heart of human suffering. The howls of Oedi-

pus when he finally discovers who he is; these are the most gut-wrenching utterances in drama.

The nature of character in Sophocles has been persistently misunderstood. He is not interested in quirks of character for their own sake. His characters have character, to be sure: Oedipus is resolute, rash, fatherly; Antigone fierce, idealistic. But the point is not that they have characters but that they are characters: great, intensely human figures. And these figures set off far-reaching symbolic resonances as they grapple with the terrible fates the gods deal them. Not very different, in other words, from Othello or Lear.

Another reason for contemporary celebration of Sophocles is the strength of his women characters. Antigone towers over the play which

bears her name, a woman of greater moral force and courage than any imagined by Shakespeare; so, in a different way, does Electra, a woman consumed by the waste and unproductiveness of her life whose obvious descendant, as Fiona Shaw and Deborah Warner seem to be telling us, is Ibsen's Hedda Gabler.

Great characters greatly suffering: impressive maybe, but surely a bit statuesque? It is imperative to get away from the lamenting-chorus-in-white-sheets picture of classical drama to appreciate Sophocles' other matchless dramatic gifts: his control of plotting, pace and suspense, and the dialectical power of his debates. The *Oedipus Tyrannus* has been praised since the dawn of literary criticism, quite rightly, for the tightness and cumulative power of its

plot: a complex trap into which Oedipus has to reach further and further, impelled by his unquenchable desire to know, until it snaps violently on him.

In terms of suspense, however, Sophocles surpassed himself in the grim, shadowed *Electra*, a play in which the central figure's lurid pain stands out in contrast to a background of whispers and deceptions where nothing can speak its name. And no dialogues in Greek tragedy, or perhaps any tragedy, surpass for sheer intensity the confrontations between Antigone and Creon, and Creon and Haemon in *Antigone*.

In *Oedipus at Colonus*, Sophocles, at the end of his career, attempted to make drama out of the final hours of the character who had lived most profoundly in his imagination. The subject of the play is a death which is neither violent nor unexpected, but a peaceful passing from one sphere into another. Hopelessly undramatic? Some have thought so, but for others *Oedipus at Colonus* is a miraculous achievement of extreme old age. Nothing in Western drama compares with the strange, otherworldly frisson which Sophocles achieves in the speech reporting Oedipus's death.

Seasoned watchers of Greek tragedy may be awaiting Adrian Noble's RSC version of the Oedipus trilogy with some trepidation (remembering perhaps the ghastly Euripidean mish-mash called *The Greeks* which John Barton served up a decade ago). This time the awesome task of translating Sophocles' marvellous richness of imagery with vocal immediacy, has been undertaken by Timberlake Wertenbaker. The actors must surely be relishing some of the meatiest parts in the whole banquet of Western drama.

● The trilogy, collectively called *The Thebans*, is in preview at the Swan Theatre, Stratford (0789 295623), and opens on Saturday.

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BEST PERFORMANCES  
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# EC ultimatum gives Serbs one week to accept peace proposal

By GEORGE BROCK IN BRUSSELS AND OUR FOREIGN STAFF

THE Yugoslav army yesterday issued a warning to Croatian militias entrenched in Dubrovnik to surrender or expect more damage to the city. The new threat to the port came as EC foreign ministers in Brussels gave Serbia until November 5 to accept a community peace plan or face escalating sanctions.

Federal troops have captured a suburb of Dubrovnik just half a mile from the walls of the historic old city. Croatian television reported, while Hungary accused federal forces of dropping cluster bombs on a Hungarian village and laying mines along the Hungarian-Yugoslav border.

## Havel in rally walk-out

From GERARD DAVIES IN PRAGUE

PRESIDENT Havel walked out in anger when Slovak nationalists disrupted a rally commemorating the anniversary of the Czechoslovakian federation in Bratislava's main square yesterday.

Demonstrators threw eggs and whistles and shouted at politicians after Mr Havel called for two minutes' silence in memory of those who had died for the freedom of the Czech and Slovak nations. The rally was one of many throughout the country designed to try to hold together the federation, which was declared 73 years ago and is now under threat from calls for Slovak independence.

The federation does still have some support. The protests in the Slovak capital came from a small group of people, while more than 1,000 braved the cold for a pro-federation rally on Wenceslas Square in Prague.

But, as President Havel attempts to avert the threat of Slovak independence, a new separatist movement is emerging — the Czech royalists who see the way forward as Czech independence. The group believes secession is inevitable and that the federation should let the Slovaks go, forming an elected constitutional monarchy and a parliamentary system, with loose cultural ties to the eastern third of the present republic. Any Czech citizen would be eligible to stand for the job of king or queen.

Prague Castle, which is Mr Havel's residence, has not been occupied by a monarch for more than 350 years. The kingdom of Bohemia, Moravia and Silesia was founded, according to legend, by the tribal chieftain Libuse. The monarchy became hereditary from the 12th century and the holy Roman emperor was later empowered to choose a monarch. The kingdom technically existed throughout Austro-Hungarian rule, right up to the declaration of independence on October 28, 1918.

Mr Viktor Faktor, a royalist spokesman, explained: "It's an old tradition to elect our king. Even the Hapsburgs preserved this for more than 100 years."

The guns were later reported to have fallen silent around Dubrovnik and EC monitors used the lull to try to reach the city. But the ferry carrying four monitors and 12 foreign reporters was stopped by a navy gunboat four miles northwest of the town and ordered to go to nearby Zelenika harbour in Montenegro for inspection.

Fighting was also reported in Vukovar in eastern Croatia, and Okucani and surrounding villages which came under fierce mortar and cannon attack from the federal army.

The EC issued its ultimatum to the Serbian leader, Slobodan Milosevic, asking him to make clear his reply to proposals for a loose-knit association of Yugoslav republics at a session of the peace conference on November 5. If Serbia will not discuss the plans drawn up in the conference chaired by Lord Carrington, the ministers' declaration continued, Serbia would be excluded from the conference and sanctions imposed.

Yesterday's stark warning marks the end of the EC's first round of efforts to find a political solution to the Yugoslav civil war which might be accepted by all six republics. The Netherlands, handling the mediation on the EC's behalf, and Lord Carrington have run out of patience with the Serbs who have regularly attended the conference but consistently blocked all progress.

"We feel that certain pre-



Map of the Balkans showing the Yugoslav civil war region.

conditions have to be carried out in order to obtain participation in good faith," Hans van den Broek, the Dutch foreign minister said. In New York, Javier Pérez de Cuellar, the United Nations secretary-general, reported that the UN arms embargo on the warring parties in Yugoslavia was being violated, and proposed that the security council act to enforce it.

In a 45-page report, Señor Pérez de Cuellar declared flatly: "The killing must stop". Diplomats said his appeal was likely to prompt security council members to set up a special sub-committee to monitor the arms embargo, much like the panel that supervises the UN ban on arms sales to South Africa. But there is still no talk of authorising a full-scale blockade as the council did last year against Iraq, they said.

The report was based on a week-long fact-finding mission to Yugoslavia by his special envoy, Cyrus Vance, the former American Secretary of State. While supporting the peace efforts of the European Community and the Conference on Security and Cooperation in Europe, Señor Pérez de Cuellar described the 224-strong EC monitoring mission in Yugoslavia as understaffed and under-equipped.

He also called for caution by those like Hans Dietrich-Genscher, the German foreign minister, who favour recognising the breakaway Yugoslav republics. "Wisdom and prudence are also required in connection with the seeking of recognition of unilateral declarations of independence," he said.

Busloads of university professors, actors and other intellectuals left Zagreb yesterday vowing to defy the Yugoslav naval blockade and sail into besieged Dubrovnik.

## Polish poll result casts doubt on 'shock therapy'

From ROGER BOYES IN WARSAW

POLAND'S general election has shattered the consensus in favour of radical market reform — the so-called shock therapy that was to achieve a fast but painful shift to capitalism.

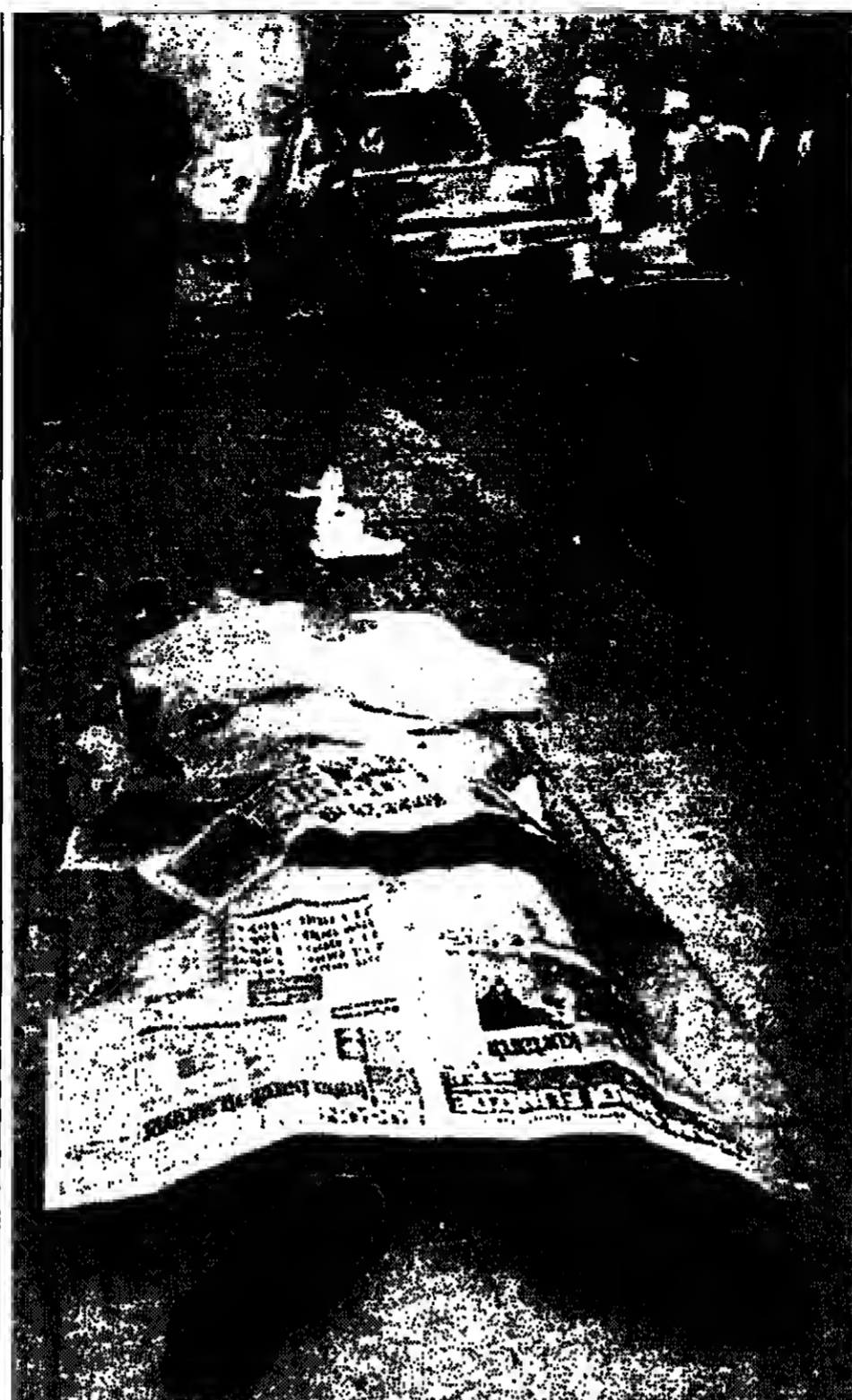
There will be repercussions throughout Eastern Europe and, perhaps most significantly, in Russia. In a snatched interview yesterday, Jan Krzysztof Bielecki, the prime minister, said: "The election winners are those who support the 'third road', who reject both capitalism and socialism." An aide and press spokesman chipped in: "And as we know, the third road can lead to the Third World."

Certainly, Poland risks a real collapse in international confidence unless it can rescue some elements of its reform programme quickly. The International Monetary Fund, for example, sets great store on Warsaw sticking to a Thatcherite agenda of comprehensive privatisation, the closing of inefficient industries and tight controls on money supply. But the new mood is protectionist

and inclined to keep factories alive, thus restraining unemployment, which has already reached two million.

Because of the perversities of the election system, in which proportional representation and first-past-the-post are jumbled together, the exact balance of forces has still not been established. After counting in 64 per cent of constituencies for the lower house, the Democratic Union is still the largest party with just over 12 per cent of the vote. It is barely half a percentage point ahead of the communists who own call themselves Social Democrats.

The Peasant party — which used to collaborate with the communists — is next with 9.2 per cent. The Catholic Action party, which supports penal sanctions for doctors who perform abortions and has a strict Roman Catholic agenda, is fourth with 9 per cent. But many parties, such as the influential Centre Alliance, gained similar support and an exact judgement must await the final results later today.



Car bomb victim: the body of Sergeant Victor Marwick, aged 31, of the US Air Force, lying on a pavement in Ankara after a bomb blew up his pick-up truck yesterday. A group, calling itself Turkish Islamic Jihad, said it killed Sergeant Marwick, a computer specialist working at a US-Turkish military base, in protest at the Middle East peace conference in Madrid. The group said it planted a bomb that blew

up an hour later in the city under the car of Abdullah al-Korabi, the Egyptian administrative attaché, tearing off his left leg and injuring his left arm. "We will not allow the imperialist powers to divide up the Middle East at the peace summit," the group said in telephone calls to local newspapers. Witnesses said Sergeant Marwick's wife, Lucinda, sustained a slight head injury from the first blast. (Reuters)

## Chechen poll sets poser for Yeltsin

From BRIAN CLARK IN MOSCOW

TRIUMPHANT volleys of machinegun fire echoed across the wildest reaches of the Caucasus mountains during the night after a former Soviet army general was proclaimed leader of the Chechens, a Sunni Muslim race with a fearsome martial tradition.

Organisers of Sunday's informal elections in the Russian Federation's autonomous territory of Chechnya-Ingush, held in defiance of Boris Yeltsin, said that the runaway victor was General Dzhokhar Dudayev, a folk hero who has already recruited thousands of men into a private army.

Leaders of the Chechen community, legendary for their connections with the Moscow underworld and Sicilian-style codes of honour and revenge, began a rebellion against the "conservative" local authorities during the August coup against President Gorbachev. They have ignored instructions from Mr Yeltsin to call off their uprising, hand in their arms and postpone regional elections.

The rebellion is viewed by top Russian officials, including Russian Ambassador to the Chechen chairman who is himself Chechen, as one of the main problems facing Mr Yeltsin. Representatives of the Ingush people, who form the other ethnic component in the territory, have said that they want no part of the Chechen state that General Dudayev is now expected to proclaim.

The Ingush community, whose reputation for ruthlessness is scarcely less formidable than that of the Chechens, is pressing with renewed intensity its bitter territorial grievance against the neighbouring Ossetians, who have been at war for the past year with the nationalist forces of Georgia. More than 250 people have been killed in the Georgian-Ossetian fighting, which has flared up again in recent weeks.

## Cresson to review farming

Angers — Edith Cresson, the French prime minister, announced that a broad debate on agricultural policy would begin next year in an attempt to placate farmers angered by falling income.

Mme Cresson, who must also deal with protests by policemen and nurses, said government officials, farmers and experts would meet in the first half of 1992 to take assess the future of French agriculture. "The [European Community] Common Agricultural Policy has reached its limits. Something new has to be found," she said.

Riot police cleared about 150 protesting farmers outside the hall where Mme Cresson addressed officials in Angers, central France. The farmers later sent their wives to tell her of their grievances. She said the government had already passed emergency steps worth 1.3 billion francs (about £1.3 billion) to help farmers but added that this was not enough. Louis Mermaz, the agriculture minister, is to meet farm leaders tomorrow.

Police across France protested yesterday against a tight 1992 budget which they said squeezed the funds available to the interior ministry and could pose a threat to public order. Nurses, who have been demonstrating for increases in staff and wages, are meeting Bruno Durieux, the health minister, for more talks. (Reuters)

## Star chamber

Nice — The trial of five French people, accused of staging racist bomb attacks, was suspended after a superstitious defendant refused to appear in court, saying the stars were against him. Gilbert Hervochon, aged 70, refused to leave his cell. He has already been found guilty of organising the raids. (Reuters)

## Deadly brew

Bucharest — Eleven Bucharest factory workers died and three were treated in hospital after drinking a home-made brew laced with methanol, police said. Investigations suggested the drink's makers confused methanol (methyl alcohol) with ethyl alcohol, the normal intoxicating agent in beer, wine and spirits. (AFP)

## Vogel to resign



Bonn — Hans-Jochen Vogel, above, who restored peace within the bitterly divided Social Democratic party in Germany in the 1980s, said he would resign from his remaining leadership post, head of the SPD parliamentary group, in December. Last May, Herr Vogel, aged 65, resigned as party chairman. (Reuters)

## Where art thou?

Venezia — The council in this fabled home of Shakespeare's Romeo and Juliet announced that it is seeking a secretary to answer love letters addressed to Juliet. A competition is being launched to find someone skilled in penning answers to the average two missives sent to Juliet from Italy and abroad every day. (Reuters)

## Wörner fears Euro army would lead to Nato split

From GEORGE BROCK IN BRUSSELS

MANFRED Wörner, the secretary-general of Nato, yesterday warned European Community leaders not to try to create a European army to take over from the Atlantic alliance or they would cause it to split.

With the foreign and defence ministers of the Western European Union meeting in Bonn today and Nato leaders preparing to meet in Rome next week, Herr Wörner, said any future European force should only operate where Nato decides not to tread. In an interview with *The Times*, Herr Wörner predicted that the EC's treaty on political union would not follow a prescription laid out by France and Germany for a European army. That proposal did not say whether the force would overlap with Nato.

An Anglo-Italian plan suggests that European forces would be complementary and secondary to Nato. "We would not object to the Europeans trying to co-ordinate and harmonise their position," Herr Wörner said, "but the final decision-making on matters concerning this alliance has to be done in this alliance... In the relationship between the European security and defence identity and our alliance, one thing has to be avoided, that is the Europeans arriving with a kind of cemented, fixed position and confronting the rest of the alliance with a 'take it or leave it'. Otherwise you would really split the alliance."

The sharpness of Herr Wörner's attack on plans supported by a majority of EC countries testifies to the deep suspicion which exists between American-dominated Nato and the community, in spite of the fact that 11 states belong to both groups. Enthusiasts for a federal EC union, led by France, suspect that Nato wants the EC to keep out of

defence altogether. Nato suspects that the EC is manoeuvring to put it out of business.

Behind the arcane language of "transparency" and "integrated military commands" lies a straightforward battle for control of Europe's shrunken post-cold war defences. America, still ambivalent about how vigorously it should fight to keep its foothold in Europe, watches anxiously from the sidelines.

Herr Wörner is waiting for the conclusion of the EC summit at Maastricht in December, and says he is confident that no government wants to split or paralyse Nato. He has thrown down a challenge to France, which has been leading the drive to build a European defence that is not answerable to Nato. Germany, currently giving ambiguous support to Paris, will be central to any compromise reached at or before Maastricht.

## Brussels presses Britain on stronger parliament

By GEORGE BROCK AND ROBIN OAKLEY

BRITAIN is facing powerful pressure from its EC partners to give the European parliament greater powers after a meeting of the community's foreign ministers last night. At the same time Michael Howard, the employment secretary, accused the European Community of "straying into areas better left to member states" over the social charter, and said that British objections may be taken to the European Court of Justice.

With six weeks to go until the EC's political union treaty is due to be completed at the Maastricht summit, France is moving towards agreeing greater powers for the parliament and thus pleasing Germany. French ministers have been unwilling to strengthen the parliament, but are keen to retain Germany's support on other issues in the troubled political union talks. Britain is reluctant to give the parliament legislative powers, but ministers have been hinting that they will be flexible in giving MEPs wider powers to monitor the EC's policy-making executive, the commission.

Roland Dumas, the French foreign minister, supported giving the parliament the right of joint law-making power — to be known as "co-decision" — on a limited number of EC policies. M Dumas suggested the parliament should be given rights of co-decision on EC laws for the 1992 single market, research and development policies and the environment.

British ministers are keen to demonstrate in pre-Maastricht skirmishing that Britain is serious in its objective to various facets of economic and monetary union and will not cave in when it comes to treaty signing. Mr Howard said there was much in the social action programme which Britain could support, but there were items in it which would add to employers' costs, undermine competitiveness and put jobs at risk throughout the EC.

Addressing a London conference on the impact of the charter on small businesses,

Mr Howard said the EC must heed employment problems, particularly because "closer economic and monetary union means that, unlike in the past, a member state cannot rely on devaluation and exchange rate fluctuations to protect its economy from the effect of inflationary increases in labour costs."

If EC states were saddled by the social charter with regulations and costs unmatched elsewhere they would find it harder to attract inward investment and to compete with eastern Europe. "Over-zealous European regulation will make the UK, and indeed the community as a whole, less attractive to investors," he said. EC powers which imposed tight regulations across labour markets would destroy the flexibility which small firms in particular needed to compete with larger enterprises. Mr Howard attacked as "unnecessary and harmful" the EC working time directive.

Leading article, page 17

## Tongues wag in the Franco-German brigade

From IAN MURRAY IN BOHLINGEN

SERGEANT-MAJOR Markus Eitwein had some bad news for the defence ministers of France and Germany when they reviewed the 4,200-strong year-old Franco-German brigade at Böhligen, near Stuttgart, yesterday.

The brigade is supposed to become the prototype for a fully fledged European army, but Sergeant-Major Eitwein thinks it can barely fire a shot in anger. "It is not here for going to war but for going to peace," he said. "I think that if there is a real war there is going to be chaos." Differences of equipment and above all difficulties of communication made it hard for the brigade to be effective. "We are even fighting each other over the radio frequencies," he added.

At a Western European Union meeting in Bonn today M Pierre Joxe, the French defence minister, and his German counterpart, Herr Gerhard Stoltenberg, are supposed to report on the brigade's progress to their other European colleagues. The ministers encountered near-chaos from the moment



Commanding attention: Joxe, left, and Stoltenberg are trying to sort out a muddle

they arrived on board a Soviet-built Mi8 helicopter, which had once been for the exclusive use of Erich Honecker, the former East German communist leader. The wind from the rotor blades ripped the tarpaulin covering off the makeshift press tribune, scattering papers across the parade ground.

Under orders shouted in French, two "mixed" companies of men, alternately French and German in the ranks, came smartly to attention with their French-made Famas automatic rifles. The German band struck up the *Marseillaise* followed by the *Deutschlandlied*, then the parade marched off.

Even though they serve in one brigade, the men wear different uniforms, the Germans a camouflage denim and the French grey-green overalls. Both wear the same cap badge, mixing the two national colours, but the German contingent have an extra little German flag as well. The etiquette of the brigade

rules that German officers speak French and French officers speak German. The French troops, largely recruited from Alsace, are often bilingual while the Germans, conscripts recruited locally, tend to prefer English. The "mixed companies" work in both languages.

Since the brigade is on German territory, German army rules apply. The most common complaint of the French is that the Bundeswehr is "dry" and they cannot have wine with their meals. The compensation is that they qualify for German pay levels, which means an extra 30 per cent on their wages.

In the woods where they train near the barracks yesterday the French made up for their lack of wine by having rabbit for lunch. The ministers lunched in a tent on a stew of French beans and German sausage and then examined the equipment. They discovered that in everything from rifles to armoured personnel carriers the two contingents use their own gear. The main difficulties stem from having rival communications systems, which could make battlefield command highly complicated.

# Paul Smith's small world



Quality: Marks &amp; Spencer's sweaters and parkas for boys from 5-14

Where to find boyswear that boys will wear and parents will buy? Dinah Hall on a new range from Paul Smith, menswear designer, and the new look at M&S

Paul Smith does very nice suits for men. But not, thank goodness, for boys. His new range of boyswear consists of sweaters, shirts, T-shirts and jogging trousers — all in a recognisably Paul Smith spectrum from black to sludgy green and dirty red. But suits — no. "There's far too much in the world that makes children grow up too soon," Mr Smith says, "they should enjoy their childhood, be allowed to be silly."

But not, perhaps, unsightly? Are the children of the graphic designers and architects who dress their offspring in matching designer labels, in as much of a straitjacket of style as Princes William and Harry, pressed into the jacket and tie of the "little man" school of dressing?

Mr Smith sidesteps the moral argument here by emphasising that he is "not trying to impose anything. The clothes are there if you want them." If children want to wear Bart Simpson tracksuits, then fine, "but the sort of parent who buys our clothes will have children who are attuned to a certain way of life so that hopefully they will get pleasure out of wearing them."

On the other hand, he agrees that the idea of man and boy matching Paul Smith is "probably horrendous" and, though he does not have children, he believes that parents who "only buy wooden toys for their children and aesthetically pleasing clothes", are building up trouble for later on when the children react and indulge in an orgy of plastic and shell suits. He has the grace to mock himself, however, when he discovers the tasteful wooden toys in the children's area of his shop, and promises that tasteless plastic bubble guns will come in for Christmas.

If the clothes are, in his words, "menswear for boys" then perhaps it is his menswear that has always been boyish. Certainly, there is nothing inappropriate about the boiled wool jumpers, cotton piqué shirts and jogging trousers. The fabrics and details are the those of the menswear (which explains the prices) — though, Mr Smith is quick to point out that he would not emblazon his name across his men's shirts, as on some of the children's designs.

Sue Timney, of Timney Fowler textile design, who has three sons

between five and ten, is probably a typical target customer. "The trouble is, kids want to look like everyone else, while their parents want them to look individualistic." She loves the Paul Smith clothes "because they have that slightly more individual look" but would complement them with clothes from Marks & Spencer. (The Paul Smith jersey, main picture, left, is £49, jogging trousers are £22, the embroidered cotton shirt, £47).

Ms Timney, in common with many others, thought she had detected the Paul Smith touch in Marks & Spencer's boyswear. In fact his consultancy work is limited to menswear, but it is conceivable that his design philosophy — simplicity, classic shapes, soft-handle fabrics — has filtered through to the thick olive-green corduroy baggy shorts and classic polo shirts. Marks & Spencer says that the new sophistication in clothes for boys has percolated through from menswear: little boys want to look like daddy. (The Marks & Spencer parka jackets, pictured, are from £39.95, the Fairisle sweater from £14.99).

And if daddy is a merchant banker it follows that Harry junior will want a Turnbull & Asser shirt, silk tie and Burberry tweed jacket. He can find them, "plus double breasted grey suits, even a dinner suit, in Harrods childrenswear department. "You'd be amazed how many people come in asking for suits for 12-month-olds," says Denise Argent, area sales manager. The formal market for boys is large, with dinner jackets regularly selling out and blazers for 4-10 year olds particularly popular. It is a curiously upsetting sight, those racks of miniature suits and gold-buttoned navy blazers, like a wearable form of child abuse. But, Ms Argent says, it is only the boy more used to wearing jeans and Chipie who objects to having to struggle into a suit for an occasion like a wedding. The boyswear market has, she says, become much more sophisticated. And if that might lead to the extinction of the turquoise and black shell suit, we must all rejoice.

● The Paul Smith range for children is available at Paul Smith, 42 Floral Street, London WC2; Strawberry Fields, Glasgow; and Chichi, Leigh-on-Sea, Essex.



Top of the class: a selection of Paul Smith sweaters, jogging trousers, tops and shirts for 5-12 year old boys

## Let bygones be icons

A new book on 20th-century classics is stretching the word beyond belief

Why is it that any 20th-century object that becomes remotely familiar is immediately branded a "classic"? Sometimes it is due to ubiquity (io the case of logos, packaging and so on) though with chrome and black leather chairs it is because furniture designers seem no longer to have between them an idea that is practical. The same few props from the past are used too often and thus develop "classic" status. If they have real staying power (25 years, say) they are elevated to "icons".

Who presumes to confer the distinction? Chris Pearce, for one. His new book *20th Century Design Classics* has the misleadingly catch-all subtitle "From the Anglepoise Lamp to the Zippo Lighter", which raises hopes for the inclusion of everything in between. No such luck. Indeed, the book's arbitrariness serves to render the question of "what is a classic?" all the more baffling.

If you were told that the compass of the book ranges from architecture to cars, by way of cigarette packs, furniture and trademarks, how many "20th century classics" do you suppose there might be?

According to Mr Pearce, just 52 — examples of which are the Airstream trailer, the Aladdin lunchbox, Bel Geddes's Air Liner No 4, Concord Powerflood lighting, Desoutter drills, and the Hamilton Beach Drinkmaster: many people have never even heard of these things. Surer ground is reached via the Aga cooker and the Anglepoise lamp, while Mr Pearce demonstrates inspiration by selecting Wells Coates's 1930s radio designs for Ekco, the Stanley knife, Penguin Books and London Transport — particularly the 1930s uplift escalators, the Underground map and the Routemaster bus.

As soon as we reach furniture, cars and personal accessories, however, any hope of a definition of a "classic" disappears: among chairs, van der Rohe's "Barcelona", Rietveld's "Red-Blue"

and Breuer's "Wassily" surely merit their entries — but where are Charles Eames, Le Corbusier and Eileen Gray? We all have affection for the Citroën 2CV, the Jeep, the Mini and the VW Beetle (which are in) — but what about the E-Type, the Morgan, the Morris Minor, and at least the radiator of a Rolls-Royce? Lucky Strike cigarette packs (as redesigned by Raymond Loewy) are good — but are they as "classic" as the mid Player's packet, with the bearded sailor? The Coca-Cola bottle (also a reprob of Loewy) is in, but where is Perrier? Or even Dom Perignon? The Parker 51 is the sole pen represented — but should it not have been the Mont Blanc Meisterstück? The only architecture that Mr Pearce deems fit for inclusion is Lubetkin's penguin pool at London Zoo, patently ridiculous — and I refuse to



In: the book includes the VW Beetle

believe that Macdonald's "M" is a classic of anything, barring brass intrusiveness.

So what is a 20th century classic? To be truly classic the function of the design must remain unimpaired, and preferably unsurpassed. For this reason, virtually all the obsolete machinery listed earlier fails to qualify. Staying power — the durability of the original or length of time in production — is another factor, and so most of all is the pleasure we take from having such things around us. Thus, I give my vote to Britain's best example of packaging: the Smarties tube — so old friend, unassertive, easy on the eye and functioning as well as ever it did.

JOSEPH CONNOLLY

20th Century Design Classics by Chris Pearce, published November 18 by Bloomsbury, £14.95.



Out, but should be in: E-Type Series Three Jaguar coupé

### THE TIMES

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## Art of the soft sell

Vimto, the north's favourite drink, is to be celebrated with a sculpture

VIMTO KEEPS YOU FIT



Good sport: the 1920s advert

Nichols, an art historian and picture researcher, is the wife of Simon Nichols, Vimto's financial director, a grandson of J.J. Nichols. She is also the prime mover behind the Vimto exhibition which is currently touring the northwest.

"The Story of a Soft Drink" presents an impressive collection of old showcards, advertisements and promotional novelties from Vimto campaigns dating back to the 1920s. Mrs Nichols discovered this material in cardboard boxes which had been gathering dust at the current Vimto factory. She especially liked the 1930s bold colour lithographs and decided that they all deserved wider exposure. "It's nice to find decent graphics. These hadn't been seen for 50 years," she says, "I felt I just had to do something with them."

Much of the advertising

material before 1934 was provided by freelance graphic artists, who worked for the company on an ad hoc basis, often bringing unsolicited artwork directly into the offices. The resulting diversity of styles has impressed Geoff Preece, the museums officer for Tameside, whose Industrial Heritage Centre at Ashton-under-Lyne will be the exhibition's next destination.

The images are often colourful and quirky. The accompanying copy was frequently outrageous. "It takes away dullness from the mind and invigorates the whole system anew," gushes one *Manchester Evening News* advertisement from 1929. The drink, in its sparkling, hot or cold forms, was also touted unashamedly as the solution to marital strife, a remedy for a rotten day and a sure way to generate favourable interest from the opposite sex.

The ads demonstrate a great fondness for punning slogans, and some of the catch-phrases still seem startlingly minimal and up to date. The coyly chiasmic "It is Vimto. Vimto is it" showcards of 1921 are in essence the same as the successful worldwide "Coke is it" ads still being made by Coca Cola.

Mrs Nichols confesses she is very fond of bot Vimto, but Mr Preece is less of an addict: "I have drunk Vimto on occasion," he says, "though not being a native of the northwest, it's a fairly new experience for me."

SUE MOORE

● Vimto — The Story of a Soft Drink will be at the Portland Basin Industrial Heritage Centre, Portland Street South, Ashton-under-Lyne, Lancashire (061 308 3374) from November 2 1991 until January 30 1992. Admission free. The exhibition will then move to the Lancaster City Museum.



## There'll only be two Banks in fashion this winter. (Jeff's the other one.)

If you'd like a leaflet to apply for tickets to the BBC's Clothes Show Live at the NEC, 7-12 December, call in at any branch of Lloyds Bank, or ring the ticket hotline on 021 780 4133.

Alternatively, you can watch Jeff Banks co-host a special live edition of The Clothes Show programme on 8th December.

Either way, you'll be there, not square.



Sponsor of Clothes Show Live, Lloyds Bank Fashion Challenge and the Lloyds Bank Fashion Awards.

## Sums that do not add up

Margot Norman says tests failed our seven-year-olds

Everyone must be shocked by the first results of our ambitious, unprecedented and ruinously expensive attempt to test the mathematical competence of all the 600,000 or so seven-year-olds in the country.

According to a leaked report in *The Sunday Times*, of a sample of 3,400 children who studied simple arithmetic for two years, 44 per cent were still unable to do a series of sums such as 5 + 4, or work out, for example, how much change would be left from 20p after they had bought a 10p doughnut and an 8p currant bun.

Disgraceful, we fume. Or do we? How many people are really surprised to find that, at seven, children are not ready to be put in work serving behind the counter in the cake shop.

A glance at a selection of the questions given to seven-year-olds in state schools to test their knowledge of basic mathematics should provoke similarly mixed reactions. I tried, as conscientiously as possible and with juvenile assistance, to approach them from the vantage point of a seven-year-old Alice in Numberland.

Question: "Find the difference between seven and three." Answer: "One is made up of straight lines and the other of curves." Wrong, of course. But if you haven't been taught that coy phrase "find the difference", you will no more realise that it means "subtract" than that grandpa has died when you are told that he has "passed on".

Next question: "Subtraction: 10 - 3, 7 - 2, 8 - 4, 6 - 3." Answer: "7, 5, 4, 3, of course, easy." Moral (for Lewis Carroll said everything had one, if you could only find it): it's easy when you know what the question means.

Question: "Name as many standard units as possible used to measure milk and water, length, the weight of an object and time." Answer: Silence. Moral: as above.

Question: "What is half of eight?" Answer: "If you give me eight beads I'll show you, but I can't do it in my head." Subsidiary question: "Why don't you just divide by two?" Answer: "We haven't done division yet. But if you give me those beads I'll show you." Questioner again: "Sorry, the secretary of state says that in future these have to be simple pencil-and-paper tests, so beads are out." Moral: if you want to discover whether a seven-year-old understands the concept of half of something, you will have to give him things - beads, bits of string - to divide in half physically. Pencil and paper won't do.

As we proceeded, this Snark began to appear a real Boojum. The question, though, was whether it was the national curriculum or the testing that was the Snark. After all, we know that our maths teaching is, to put it politely, uneven. We know that British children are less numerate than German and Japanese children, and we brought in a national curriculum because we thought it was time to become systematic, orderly and standardised about teaching numbers.

The same applied to the teaching of letters, words, and a host of other things, but because we are British and so morbidly glad to hear ill of ourselves, we have paid a lot more attention to the National Foundation for Educational Research's maths results than to those in English and science, which indicate that the state of affairs in those subjects is broadly as the government expected.

Unfortunately, as a nation we seem to have lost the art of being systematic and orderly about anything (look at our road signs, or indeed the direction signs to any public place, and count the number of despairing foreigners nearby), so it is not surprising that we have made a mess of our first attempt at a national curriculum in this, the subject that must above all others be approached systematically. We do not yet have a national curriculum, in the sense that there is one in Japan, where there is no need of national testing because the people know that their system works. We still have only a grandiose and waffly set of documents.

We have overworked the menu in junior maths and then compounded the mistake by devising over-ambitious tests to see if the meal is up to scratch. No doubt, in our temperate way, we shall swing too far in the opposite direction and over-simplify, with the Education Secretary's simple paper-and-pencil tests.

Surely it would be better to test a few thousand children sensibly, with beads, bits of string and whatever else is required, than to test the whole lot badly.

Roger Boyes, in Warsaw, explains that democracy and free markets have yet to capture the popular will

## Poland votes for apathy

In Poland's first fully free elections since 1928, 60 per cent of the country stayed at home, making it the lowest turnout ever recorded in here. Instead of the defeat of the communist deputies in parliament and the decisive victory for market reformers that was predicted, the Democratic Union only scraped in ahead of the communists, who clung on to fifty of their hundred seats. A large chunk of the votes went to ultra-nationalist or radical Catholic groupings. There were no fireworks after this election. Fatigue has replaced the euphoria of 1989.

East Europeans in general now view politicians as helpless figures. For four decades they assumed they were being deliberately cheated by the communists, denied consumer goods and basic freedoms by malevolent dictatorships. The truth, it now emerges, is that the communists lost control of the economy, and could not adjust their clumsy central planning to modern

society. Now the post-communist politicians, the dissidents-turned-ministers are presiding over a drastic fall in living standards. Shops are full, but market reform is turning out to be an unruly process. Corruption is rife, inflation eats into salaries and pensions, the intelligentsia is touched by poverty, the workers by unemployment.

"We threw the communists out for this?" scoffed a middle-aged woman at an election meeting in Kielce last week. The speaker, a former political prisoner and one of the best brains in the Solidarity movement, replied in the vocabulary of sacrifice and belittling used by generations of communists.

In June 1989, Poles voted in a partially free election and ended communist rule, pioneering

change in the east. Last weekend a few of them voted against almost anybody associated with radical market reform. Two years ago, the communists were blamed for people's misery; now Solidarity is blamed.

Since East European societies seem to be voting against something rather than for a vision of the future, they are doomed to have weak parliaments. The same is likely in the democratising republics of the Soviet Union. These debilitated parliaments present three threats: the rise of extra-parliamentary opposition, a hardening of nationalist politics, and a growing dependence upon strong leaders.

In Bulgaria's elections a fortnight ago, there was a relatively high turnout, but only a handful of the scores of parties gained

seats in parliament. The balance of power is held by the ethnic Turks, who are motivated mainly by a wish for revenge on the communists who persecuted them so harshly in the 1980s. Many Bulgarians feel they are not represented in parliament at all. The decisive element in Bulgaria (as in Romania) will be the politics of the piazza. Romanian prime minister Petre Roman, unpopular because of his tentative market reforms, was toppled not by elections but by a violent demonstration of miners, who may well have been manipulated.

In Poland too, street power is increasingly important. As the commentator Jan Nowak-Jezewski said yesterday: "I'm afraid that the communists will try to influence those who boycotted the elections, and try to

construct an extra-parliamentary opposition to President Walesa. We have entered the age of the negative majority."

Street politics blend naturally into nationalist politics. The ultra-nationalist Confederation for an Independent Poland came out of the elections as one of the strongest parties, as did the radical Catholic action group which mixes noisy patriotism with an insistence on strict adherence to papal teachings. These parties offer no economic solutions, but have replaced the communist vision with a vision of ethnic homogeneity.

Polish election posters were defaced with Star of David symbols by anti-Semitic thugs at the weekend. In Latvia recently, a nationalist politician was asked whether Russians in the

republic were second-class citizens. "No," he replied, "they are not citizens at all."

With power shifting away from institutions, the calls for strong leaders who are "above politics" will become more urgent. In Poland, Lech Walesa gent. He has a constitutional duty to install a transitional government, and in appoint a premier. But the winner of Sunday's election has 14 per cent of the vote, on a turnout of 40 per cent.

Democratically elected presidents such as Boris Yeltsin and Mr Walesa naturally have more authority than parliaments built upon such shifting sands, and as long as the presidents' powers are constitutionally restricted, this need not be a bad thing - better certainly than allowing power to trickle away from parliament into the gutter. But these strong men should be carefully watched and should not be indulged too much by the West.

Alan Walters says he was wrong to think European union could be stopped

Were Machiavelli to be consulted on the best way to promote a political union, I am sure he would advise the establishment first of a monetary union. For while the construction of a political union in Europe has run into many intractable problems - last month's kerfuffle on the Dutch initiative has demonstrated just how sensitive are issues of sovereignty - monetary union is proceeding on schedule.

M. Jacques Delors, Herr Martin Bangemann and Sir Leon Brittan insist that a monetary union is necessary for a proper economic union: like love and marriage, one Europe must mean one currency.

I once thought that monetary union was a virtually impossibility because it would inevitably imply a centralisation of power in Brussels which would be quite unthinkable to the peoples of Europe, and particularly to the British (recall the horror when M. Delors predicted that 80 per cent of legislation would soon come from Brussels and out from Westminster).

Now I believe I was wrong, because I did not expect the idea of a single currency to be so well supported both by the commercial community and by ordinary voters. Most people's experience with foreign currency consists of exchanging small amounts at currency exchanges, so it is easy for the monetary union lobby to appeal to the instinctive feeling that we are being robbed in these transactions. Sir Leon Brittan has a telling tale of beginning with £100 and converting it into the domestic currency in each of the 12 and ending up with about £35.

However, such exchanges of notes are but a fraction of the \$500 - 1,000 billion of foreign exchange transactions daily, transactions in which the

margins are super-fine. So only an idiot would pursue the Brittan path - but here we are in the realm of political persuasion rather than rational calculation.

The economic union of Europe does not require a monetary union and certainly not a single currency. Yet even though it is easy to produce examples of working economic unions without common or even pegged currencies - Canada and the United States - this does not mean that there will not be a monetary union. On the contrary, I believe it is virtually certain. And the result will be a powerful federal government.

There are two reasons for believing this. Firstly, there will be a great fiscal redistribution from the rich north to the poor south. Huge subsidies will be needed to keep the union together. (The experience of German monetary union is instructive here.) The American example gives a measure of the problem. The growth in Washington has been inexorable and far greater than anywhere envisaged. Yet both the economic and the cultural differences between the states of America are far smaller than those in Europe, and there is much less opposition to centralisation.

Secondly, the need to carry out "international monetary policy" will involve centralisation. The Commission's outline of the constitution of the Central Bank of Europe envisages that the exchange-rate policy will be the responsibility of the politicians. And international monetary policy is a natural twin of foreign policy, so the common power to conduct these policies will be concentrated in Brussels. Furthermore, the awesome power of a central bank (which will be able to determine the value of the ecu) will call for an equally powerful political authority as a balance.

If I am correct in supposing that a monetary union will be a centralised political union must follow. The inevitable tensions and frictions between nations and groups in any conglomerate can be contained only if the



The threat from Leviathan: Abraham Bosse's frontispiece to Hobbes's masterpiece, 1651

central authorities practise light government. But since the demands of the union will require such large transfers and taxes, it is difficult to see how any such light government is possible. Nor will it help to increase democracy within the European Community, for instance by giving additional powers to the Strasbourg parliament. Concentration of power, whether it is democratic or not, gives government a dominant place in economic life.

The question now is whether monetary union will be derailed. The principal losers in monetary union would be Germany and the Bundesbank, which are being asked to give up the known, successful and trusted, for the unknown, un-

tested and dubious. The Bundesbank has said that it will relinquish its powers to the central bank only when that institution is as trustworthy as itself. Such a hard line is sensible, even praiseworthy, but it scuppers the central bank before it is launched.

The logic of the Bundesbank's line is reinforced by the Commission's papers on the constitution of the central bank. The European central bank is intended to control domestic monetary policy, with price stability as its goal, whereas international monetary policy, including the power to peg or fix exchange rates, would be the preserve of the politicians.

But as any student of economics knows, that is nonsense.

force through some sort of compromise, and I expect that by the end of the decade there will be a central European bank with a single currency for a core of about five countries. A two- or even three-speed Europe is bound to emerge. A concentration of power, together with formal political union, will follow quickly after this monetary union. The deep political divisions in Europe will then probably produce much dissent and tension, and this bickering will leave Brussels bureaucrats to take over real power.

From the best intentions, I fear, a European Leviathan will emerge to plague us all. Professor Sir Alan Walters was an economic adviser to Mrs Thatcher.

Either one controls the exchange rate and adopts whatever monetary policy is required to ensure this value, or one controls monetary growth and allows the exchange rate to float where the market takes it. One cannot do both. The Bundesbank has said that the central bank cannot carry out its appointed task of controlling inflation if the politicians pursue their own exchange-rate policies.

But logic always gets short shrift in Euro-councils. And since there is considerable pressure from the French to have political control over the central bank, the German government may well lean on the Bundesbank to abandon its hard line so as to accommodate French ideas of *symmetrie*, by which the French hope to bend German monetary policy to their own benefit.

According to John Major, the British government intends to put the question of the common currency to Parliament before Britain enters the monetary union (probably in 1997). But this is a paper tiger. Once Britain is locked in Europe's monetary embrace, Parliament can vote only one way. The political costs of freeing ourselves would be prohibitive. So there will be monetary union with Britain firmly inside.

The politicians will probably force through some sort of compromise, and I expect that by the end of the decade there will be a central European bank with a single currency for a core of about five countries. A two- or even three-speed Europe is bound to emerge. A concentration of power, together with formal political union, will follow quickly after this monetary union. The deep political divisions in Europe will then probably produce much dissent and tension, and this bickering will leave Brussels bureaucrats to take over real power.

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...and moreover  
**CRAIG BROWN**

Letters to the Editor.

*The Paradise Herald.*

October 24, 1991:  
Sir, Am I alone in regretting the absence in *Paradise* of that great institution, the long queue? Back on Earth, one would enjoy nothing more than to stand in line for minutes - or even, on a good day, hours - waiting for the bus or the train, the supermarket till or the dentist. Here in *Paradise*, in place of this sterling tradition, so much a part of the British character, whatever one wants is foisted upon one immediately, without the welcome buffer of an agreeable line of fretters. Am I alone in regretting this?

Yours faithfully,  
Col Tooting Beck.  
Hon Secretary,  
The Joy of Queuing.  
*Paradise.*

October 25, 1991:  
Sir, May I add my voice to the sentiments so nobly expressed by the Hon Sec of The Joy of Queuing in your pages? I myself have grown increasingly concerned at the abolition of yet another much-loved earthly institution, namely Mugging.

I well remember the days on Earth when one could walk down a crowded street in the hope and expectation of being buttressed by a complete stranger. This cheerful extrovert, rejoicing in the title of "mugger", would then produce a knife, a blunt instrument, or even, on occasion, a sawn-off shotgun for

one to peruse at leisure. One's studies concluded, the fellow would continue his repartee with a promise to remove all clutter from one's pockets and to dispose of it under his own steam. Is it not a disgrace that this age-old service is not available in *Paradise*? Frankly, do-gooding angels importuning one with offers of "kindness" are a poor substitute for the real thing. Yours faithfully,  
Turnham Green, Treasurer,  
Save The Mugger, *Paradise.*

October 26, 1991:  
Sir, One of the dearest pleasures of earthly existence was the right to be informed at the very last minute that one's train was to be delayed for an unstated time "due to matters beyond our control". In *Paradise*, this right - for which our ancestors struggled every day of their lives - is not observed, and trains are never restricted to arriving and departing only as scheduled, a severe infringement to the liberty of the individual driver. Yours faithfully,  
Stamford Brook (Mrs).

October 27, 1991:  
Sir, In the old days on Earth, one could be sure that the train, lovingly delayed, would prove a veritable treasure-trove for the eagle-eyed collector of discarded comestibles and mis-shapen cans. I remember the joy with which one would feel one's foot chancing upon a plastic cup, say, or a goodly goblet of chewing gum (incidentally, whatever happened to chewing gum?) to

this Brave New World of *Paradise*, such colourful objects *trouvés* are no more. Instead, the hapless traveller is expected to sit out his journey in disgracefully over-scrubbed conditions. Yours etc.,  
Major Anros Grove,  
Regional Organiser, Keep *Paradise* Scruffy Campaign.

October 28, 1991:  
Sir, I too despair at the absence of some cherished institutions. The good old motorway pile-up, for instance, is all but forgotten by those who have lived too long with the draconian restrictions of *Paradise*. In my unashamedly nostalgic volume, *The Pile-Up: A Celebration in Words and Pictures*, I recall those long-lost days when drivers could break the monotony of careful motoring by piling up their cars, one upon another, with an abandon that proved positively contagious. Not everything in *Paradise*, I fear, is for the best. Yours faithfully,  
Maida Vale (Miss).

October 29, 1991:  
Sir, May I inform your correspondents that my own ock of the woods offers a full range of queues, delayed trains, litter, mugging and motorway pile-ups? We are also proud to announce a new deal with TV-am, which will be providing us with a full service (compulsory to all residents) all day, every day. Everyone is welcome. Yours faithfully,  
B.L.Z. Bub, prop., Hell Prestige Leisure Facilities plc.

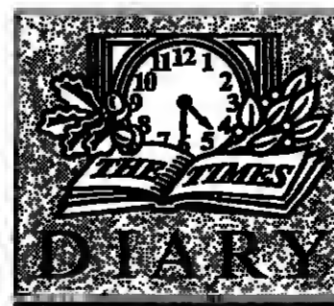
## Points of conversion

WHATEVER the outcome of next Saturday's rugby World Cup final, the pressure to take the next final to South Africa now looks irresistible. Nelson Mandela and President de Klerk have been joined by the sponsors of the present competition in the bid to take the 1995 world cup to South Africa.

Dr Tony O'Reilly, president of Heinz, sponsors of the 1991 championship, and also the highest scorer on the Lions' tour to South Africa in both 1955 and 1958, says that de Klerk was no slouch on the rugby field, while Mandela has always been a great supporter.

"On a recent trip back there, de Klerk proudly told me he had played against me in 1955 in a junior squad," O'Reilly adds. "De Klerk was a very good player and is still a passionate fan. He told me rather enviously he would love to have come in the reunion dinner I held recently in Cape Town for the 1950s Lions and Springboks teams." As he never made the full international side, de Klerk was not eligible, although Dawid de Villiers, his minister for commerce, a member of the 1958 Springboks team, was.

Not long after his meeting with de Klerk, Mandela pointed out to O'Reilly that he had watched him on the same Lions' tour. "He told me it was one of the last rugby matches he watched before being jailed," O'Reilly says as he as the political leaders for the 1995 World Cup to be held in South Africa. "I think it would be good for the politics of reconciliation. The two leaders realise the significance of rugby in the new South Africa and how important it is to ensure there is a fully multi-racial team by then. I told both Mandela



and de Klerk that whatever their differences, they should support the idea. Their interest in the game will be a great help to that end."

So will James Baker be wearing his tracksuit in Madrid this week? The American Secretary of State's favourite method of relaxing on his almost non-stop global tours is to slip into a blue tracksuit with his name embroidered on the breast, according to a collection published this week which brings together the best of the BBC World Service's reports. "From our own correspondent: Would the prospect of progress in the talks be enhanced if all the participants were to be issued with identical personalised tracksuits?"

## Lend us a tenor

THE Royal Opera House has now been turned down by both of world's top tenors in its plans to recoup some of the money it is losing through the musicians' strike. The Royal Opera hopes to make up some of the estimated £300,000 per week that it is losing while its orchestra is in revolt, with a special gala performance early next year.

Such events, with big stars, can make more than £500,000 in a single night. Yet in sell seats at up to £1,250 each, the house needs singers with box-office pulling-power,

and the two most obvious names, Luciano Pavarotti and Placido Domingo, have both declined to be Covent Garden's knights in gala armour.

Pavarotti has already pulled out of next year's *La Bohème*, which would have been a candidate for the gala performance.

The Opera House then pinned its hopes on Domingo, but he has told them he is fully booked at least until next April. And Domingo is said to be anxious to avoid giving the impression that he is interested only in singing to elite audiences, while his great rival cultivates a reputation as a man of the people.

## Secret weapon

THE Soviet army could soon be marching on Big Macs. George Cohon, vice-chairman of the hamburger chain's flagship store in Moscow, has been discussing the possibility of army catering over a glass of vodka with what McDonald's describes as a "high ranking general" in the Soviet



command. "Mr Cohon and the general met socially," says McDonald's. "In passing they discussed the possibility of establishing restaurant sites at army bases."

McDonald's is also looking at the possibility of establishing a fast-food outlet at Moscow airport, and possibly even on board Aeroflot flights. At present the airline is often castigated for the worst in-flight catering in the world. But is the Big Mac really the answer?

## Mirror image

IF Robert Maxwell can find time to read a novel between issuing writs over the allegations made by American journalist Seymour Hersh, he should consider John Chalmers' *Occupational Hazard*. The 442-page thriller, published earlier this month, is a tale of journalism and Israeli espionage. It tells the story of a German Jew, Max Beaumont, who is linked to Mossad, and whose life is saved by a Mossad agent.

Chalooer, a former publisher who set up *Der Spiegel* in post-war Germany, prints a disclaimer in the book: "The occupational hazard of writing fiction is that some characters portrayed are real persons." Nonetheless, Chalooer admits that his portrait of Beaumont is "based on elements" of Maxwell's character, whom he knew well in Germany after the war.

The Cabinet Office's guarded welcome of the EC proposals to improve the lot of women might be straight out of Yes, Minister. When Jim Hacker dreams up a scheme to beef up the number of women in the higher echelons of the civil service, Sir Humphrey Appleby was horrified, although of course he pretended to go along with the idea. "But we're actually quite well up to establishment on typists, cleaners and tea-ladies," he replied. In any case, added Sir Humphrey: "We must always have the right to promote the best man for the job, regardless of sex."



## CHECK ON BRUSSELS

John Major's hardest task in Bonn this Friday will be to convince Helmut Kohl that Europe's curious parliament, which has not covered itself with glory in its present nebulous role, must learn to crawl before being invited to walk. Negotiations on enlarging the role of the parliament as part of the political union treaty, under discussion in Brussels yesterday, are at a delicate stage.

The argument advanced for increasing the parliament's powers is that only thus will the "democratic deficit" in the Community be met, by MEPs somehow calling the Brussels bureaucrats to account. The Germans, with varying degrees of support from Spain, Italy, Belgium and The Netherlands, seek to give MEPs power to initiate legislation, an equal say with the Council of Ministers on Commission proposals and a legislative veto. That would shift the balance of power: the Commission evolving from EC bureaucracy into an embryo European government, with the European parliament as its legislature and the Council of Ministers as a sort of upper chamber, or senate of nations.

Such ideas are political moonshine. They bear no relation to the actual balance of power within an evolving Europe, which will always be a tussle between national interest and the need for international co-operation where appropriate. A cardinal principle of such co-operation is that sovereignty is pooled, and the power of national assemblies accordingly diluted, only when a clear common purpose is served. Tussles must be resolved in the regular collision of elected governments, answerable through parties to national assemblies. That collision takes place in the Council of Ministers, Europe's de facto collective government.

The much-touted "co-decision" on legislation between MEPs and the Council of Ministers would paralyse the community. Britain is prepared to see the powers of both the Council of Ministers and the European parliament reinforced under the amended treaty, and the links between the two strengthened. But Britain wants to see the parliament check the Brussels executive rather than rival national legislatures. It has proposed increasing the parliament's powers

to scrutinise Commission spending and to monitor national implementation of EC directives. It could even accept giving MEPs power to approve the appointment of the Commission, including its president.

Hitherto, however, the government has rightly argued that the democratic deficit would only be worsened by undermining the powers of the Council of Ministers. By all means allow MEPs to assist in vetting draft EC legislation, but by closer contacts between MEPs and national legislatures. It is even possible that the parliament might be able to delay or even veto directives in areas covered by majority Council voting. Since the British Parliament has no power to overturn legislation approved under majority Council voting, this could even be interpreted as a democratic safeguard. But the European parliament cannot, short of the evolution of Europe-wide political parties, ever yield responsible supranational government. As is likely with such a body, it merely promotes spending on sectional interests and turns a blind eye to corruption.

A majority of EC members wants power for the parliament to invite the Commission to introduce legislation. This is a charter for supranational aggrandisement: jobs for the boys at an enormous cost in administrative confusion, unjustified interference and blurred responsibility. The Council of Ministers has, hitherto, acted as both brake and accelerator for European union. For all its manifest faults, it has tested the value of each step towards co-operation against the rights and sovereignty of individual nations.

To dilute that ministerial responsibility would make the EC more, not less, remote from electorates. It would make ministers less responsible to their national parliaments. Precisely because it is difficult to take the Strasbourg parliament seriously, British ministers may be tempted to yield on this point. They must not do so until that parliament has shown that it can audit the executive power of Brussels, blow the whistle on corruption and reduce its own bloated privileges. For the present, it bears a resemblance to a certain imperial parliament now decomposing 1,360 miles to the east.

## RUSSIAN ROULETTE

Boris Yeltsin is nothing if not brave. In August his courage in defending Russian democracy made him a hero at home, a figure to be reckoned with abroad. Yesterday he set out to rebuild Russia, a herculean task that promises him nothing but denunciation at home and empty words of praise abroad. He announced a drastic programme to end price controls, speed up privatisation and land reform, tighten credit policies, cut defence spending and strengthen the virtually worthless rouble. Mr Yeltsin is taking a serious risk with his own future.

The cost will be enormous. Already poor people will have to pay far more for food and other basic goods. New laws will add to the already gross confusion in the economy before people learn to profit from the "new order". Mr Yeltsin courts the further risk of strikes and riots. Yesterday he spoke of the abyss opened up by the collapse of Soviet central power, with gold reserves depleted, hard currency exhausted and economic production plummeting. His apocalyptic vision is shared by all Western visitors to Moscow. But for many Russians, his cure will seem worse than the diseases.

Mr Yeltsin's announcement has long been expected. His advisers see shock therapy on the Polish model as the only way forward. The IMF and Western governments have made it brutally clear that until the Russians — and all other republics — cut subsidies, control the money supply and guarantee private property rights, there is little outsiders can do to avert disaster.

Calls for patience and Churchillian promises of toil and tears may now be too late. There is a rage in Russia today that outsiders do not fully comprehend. Desperation has taken hold as queues lengthen, buildings crumble, factories run down and crime

soars. People are sick of debate, sick of ever more hollow announcements. The pillars of Stalinism have collapsed, and with them all authority. Politicians, squabbling impotently, unable to compromise, unable to enforce whatever decisions can be taken. No one knows who is in charge. If this is democracy, many are sick of that. Among peoples who tend to veer from one extreme to another, who look for absolutist solutions and who have been brought up to shirk responsibility, the omens for a democratic way out of the morass are poor. Anarchy is the traditional enemy of Russia; authoritarianism the traditional solution.

Mr Yeltsin can see the danger signals. His own popularity is falling fast. His writ no longer runs throughout his vast republic, where several autonomous regions are straining to break with Moscow. Ethnic violence threatens to spread along Russia's southern rim. Mr Yeltsin knows that his chances of implementing this radical programme are slim. Who will enforce the new decrees? Who will break the power of collective farm chairmen, of the old party bosses who still run their local fiefdoms? None of Mr Yeltsin's advisers, however able as economic theoreticians, has the authority to carry through yesterday's decisions.

Mr Yeltsin has used his presidential powers to appoint himself prime minister. He will be accused of grabbing power, of trying to monopolise decision-making. The West should understand the speed with which Russia is descending into ungovernability and support him. He has appealed again for Western help, and appears determined to fulfil the conditions for it. He may not succeed in averting bloodshed and collapse. But his bravery, principle and determination must be acknowledged.

## HELPING WOMEN TO WORK

Women are the largest under-used resource in the British economy and could make a much greater contribution to business and government. So says Opportunity 2000, the business-led initiative launched yesterday with the enthusiastic backing of John Major. The litany of under-use is familiar. Only a fifth of British managers and less than 2 per cent of senior executives are women. Traditional career patterns inhibit the promotion of women who take time off or work part-time while raising children. Under-achievement by women is not only frustrating for them but wastes money (some of it at least) spent on higher education and training.

Employers have a strong incentive to change because of the expected shortage of skills in the 1990s, resulting from a sharp decline in 18-year-olds entering the workforce. There is much that employers can do along lines set out in *The Times* charter for women (see page three). These include equal pay for equal work, wider tax reliefs for working at home, realistic career breaks to raise children and more job sharing. Above all, companies and other bodies have to accept that many women are likely to offer a different type of service over their careers.

Many organisations remain male-dominated, especially in their upper echelons. The worst tend to be the most old-fashioned, the judiciary, medicine, the professions, the trade unions. The most competitive and talent-reliant sectors, particularly services, tend to have most women in leading positions, notably advertising and consultancy. But these bromides have been repeated

before. How to translate theory into practice? American experience of expensive litigation warns against enforcement by quotas and affirmative action. While there is a case for positive action to ensure that merit is the sole criterion of advancement, many women are rightly adverse to "positive discrimination" in their favour.

Opportunity 2000 fights shy of these pitfalls, but that is about all. Public bodies and 61 companies are involved and some have set broad goals for improvement. Women should be on all shortlists for public appointments, though that has been the case for some time. The shortlist is thin because the reserve of suitable women is also thin.

The best that government and employers can do is adopt the proposals set out in the charter for women. This is not a matter of high-profile "role model" appointments. It is a matter of instituting the flexibility that will enable competent women to progress further through a career. If a mother does not want to make a full-time commitment, if a wife subordinates her career to that of a husband — without feeling inadequate or out of control of her life — employers have an interest in adjusting work practices.

Statistical equality between men and women in senior positions is unlikely in the immediate future. What matters is that there is equality of opportunity and respect for ambition. Women should be able to choose whether and how much they wish to work. They should be able to get out of their careers what they are ready to put in.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

### Treatment of customers by banks

From the Director General of the British Printing Industries Federation

Sir, Printing, one of the UK's top ten industries, is essentially a small-company industry. Eighty per cent of our members employ fewer than 50 people.

A recent survey of our members would entirely endorse the findings of the Office of Fair Trading (report, October 25). Printers may exonerate banks from breaches of the Restrictive Trade Practices Act, but they do believe there is much to criticise in the way banks have behaved in recent years. Our members believe that their industry has been damaged and may suffer further damage from what they see as rank irresponsibility on the part of banks.

In their opinion, banks are being disingenuous in claiming that they did no more than meet demand when they raised their lending. Printers' information is that, acting on instructions from head office, local managers did go out to find somebody — at times almost anybody — to borrow from them. They understand that these same loans are being now recalled in an equally cavalier fashion. Our members can see no reason why one company is being put into receiver's hands while another company is allowed extended credit.

These twin activities have made a nonsense of printers' efforts to assess their customers' credit worthiness. As a result, printers have incurred bad debts in respect of perceived non-risky business and are at a loss to know how to guard against future bad debts arising from arbitrary withdrawal of bank finance.

What we wish to see is banks being forced to quote their terms in detail, to give information to enable customers to check calculations and to emphasise that overdrafts are repayable at call, and therefore, an inadequate substitute for permanent capital.

Banks are, of course, easy targets, particularly in recessionary times; but they should owe present clear evidence that the suspicions of small businesses are unfounded.

Yours faithfully,  
COLIN STANLEY,  
Director General,  
British Printing Industries  
Federation,  
11 Bedford Row, WC1.

From Mr Philip Ryman

Sir, On Thursday at 1pm I attempted to pay a sum of cash into the NatWest Bank at Wokingham, Berkshire, to be credited to my student son's account with the same

bank at Portsmouth. On enquiring when the money would be credited to his account, I was told that it would take three days and should be in the account on Monday.

I expressed amazement that so simple a cash transaction should take so long and I was informed that it could be dealt with immediately on payment of a fee of £11.

Not being prepared to pay the fee and knowing that the delay might place my impoverished son in some discomfort I crossed the road and paid the amount into his account with the Halifax Building Society. The money was credited to his account immediately.

Perhaps someone could explain to me why the high street banks cannot complete a straightforward cash transaction on the same day, other than for an exorbitant fee, whereas a building society can do it at the touch of a button.

Yours faithfully,  
PHILIP RYMAN,  
2 Wicks Greco, Blandford, Berkshire.  
October 25.

From Mr Paul S. Rubin

Sir, I have been told to repay my bank overdraft with a personal loan scheme spread over five years at 27.5 per cent fixed interest rate. Although this rate is objectionable, it is not a concern when compared to the "mandatory" loan protection insurance.

In my case the bank insurance scheme would cost £1,294 for five years of protection compared to policies I can arrange at a premium costing only £425 for better protection.

My bank's insurance scheme is paid for in advance by adding the already inflated single premium to the loan and thereby charging loan interest on premiums even though they could be paid monthly.

I wonder how many people have been coerced or intimidated into taking loan-protection schemes, even though there are less expensive and better alternatives available.

Yours sincerely,  
PAUL S. RUBIN,  
31 Shirehall Park, NW4.

From Mr R. D. Ward

Sir, There is one important thing wrong with Britain's banks. They should stop saying "we" and start saying "you". The effect on their thinking would be dramatic.

Yours faithfully,  
R. D. WARD,  
25 Abbey Mill Lane,  
St Albans, Hertfordshire.  
October 25.

Business letters, page 27

### Cathedral revenue

From Canon D. J. W. Bradley

Sir, The Bishop of Salisbury, who is noted for his pastoral sensitivity as for his other distinguished qualities, was surely not censuring the Dean and Chapter of Salisbury Cathedral for their fund-raising activities (report, October 18) but expressing his sympathy with them in their strenuous efforts to keep the cathedral viable and was concerned to ensure that its fundamental spiritual mission was not thereby impaired.

The dilemma arises from the dual function of a cathedral like Salisbury in contemporary society. It has both a spiritual and a cultural role and the two roles are not necessarily antithetical.

In implementing the cathedral's cultural role in relation to the national heritage the Dean and Chapter, as officers of an established church, have a right to look to the secular authorities and industry and commerce for financial help and this, if forthcoming, need not jeopardise their essential independence nor derogate from the responsibility of the actual church membership for the more specifically spiritual mission.

Indeed more freedom from financial anxiety would enable them to concentrate more exclusively on their basic spiritual role, which the bishop rightly emphasises.

Yours sincerely,  
DONALD BRADLEY,  
32 St Mark's Road,  
Salisbury, Wiltshire.  
October 23.

### Pay by results

From Councillor Sheila Terry

Sir, Wouldn't it be great if the government practised what it preaches? Ministers could be paid by results. We could look for year-on-year improvements in all government services. Where this did not occur the members of the government in the relevant department would take a pay cut. Where a department did well the secretary of state might get a pay rise and new ministers could be appointed to the department, but probably at a lower level of pay than those already working there. This appears to be

### A sin no more?

From Mr David Foster

Sir, The Reverend J. H. S. Burton (letter, October 23) takes his archbishop to task for saying that "anger was a powerful God-given emotion", pointing out that it is one of the seven deadly sins.

Both are right. The fault lies with our impoverished language which has lost the word wrath, which I believe is what the archbishop had in mind. It can now only be rendered "righteous anger", an emotion of vigorous antipathy to wrongdoing, firmly under the control of one's will.

God the Father showed it many times in the Old Testament and the Son a number of times in the New, most memorably with the money-changers in the temple. I am sure Mr Burton would not wish thereby to impute sin to either person of the Trinity.

Others of the deadly seven have their righteous form. Pride in one's country or regiment or alma mater for example will not risk damnation. This is one of those rare cases where the French language can distinguish where ours cannot. *Prière* is admirable but *orgueil* is to be avoided.

French falls down lamentably on anger, however. Where God was "wrath" in our old versions and "angry" in the new he is simply "irrité" to the French, a very ungodlike emotion.

Yours faithfully,  
DAVID FOSTER,  
Beech House, Shifnal, Shropshire.  
October 24.

the sort of thing that Kenneth Clarke is proposing for school teachers (report, October 25).

Perhaps the government could go one step further. Any secretary of state or prime minister who allows anything as daft as the poll tax or the recent TV franchise fiasco should lose their pensio as well as their pay.

Yours faithfully,  
SHEILA TERRY  
(Leader, Liberal Democrats),  
Oxfordshire County Council,  
Members' Room,  
County Hall, Oxford.  
October 25.

### Artwork copyright

From Mr Peter Warner

Sir, May I from an artist's point of view amplify Geoffrey Adams's comments arising from Bonham's recent auction of paperback-cover artwork (letter, October 23)?

All title in all creative work automatically resides with its creator. This includes ownership of original artwork and the intellectual property of copyright, which should be traded separately under written agreements.

As it is very unwise to part with copyright, the creator usually gives specific permission to reproduce

artwork in the form of a licence. The original is loaned for this purpose, but remains an asset of the artist's business, to be licensed for other purposes if appropriate, exhibited, used for self-promotion, sold or kept for a rainy day.

Publishers' book-cover budgets rarely accommodate production costs of artwork, let alone licence fees commensurate with a cover's function as packaging. They certainly don't purchase original artwork.

Yours faithfully,  
PETER WARNER (Ethics Group,  
Association of Illustrators),  
Boundary View, Hillside Road,  
Tatfield, Westerham, Kent.

### Cholesterol screening and health

From the Director of the Family Heart Association

Sir, Nigel Hawkes ("Hole in the heart of the cholesterol cult", October 21) considers cholesterol screening as "mischievous, misleading and wrong", whereas one of the main objectives is to seek out those individuals who, through no fault of their own, have a dangerously high level of cholesterol in their blood from birth.

Recent research published in the *British Medical Journal* has shown that the risk of sudden death from a heart attack in such individuals is increased tenfold between the ages of 20 and 39. As the frequency of inherited high cholesterol is one in 500 of the population, this means that there are 100,000 persons with this disorder — a similar number to those suffering from insulin-dependent diabetes — most of whom remain, as yet, undiscovered and untreated.

This country's record for coronary heart disease remains among the worst in the world and more than 60 per cent of the general population has cholesterol above the recommended level.

We are making efforts to redress the balance and in particular find those with the inherited condition before it is too late, not create "panic about heart disease".

Yours faithfully,  
DON W. STEELE, Director,  
The Family Heart Association,  
Wesley House, 7 High Street,  
Kidlington, Oxford.

### Analysis of waiting lists for operations

From Mr D. L. Crosby

Sir, Happily in the department of general surgery at the University Hospital of Wales we have no patients waiting longer than a month for urgently needed treatment. However, we do have almost 500 patients waiting for non-urgent surgery, some of whom have been waiting for several years. Recently, we have been making new efforts to deal with this problem by undertaking operations at weekends.

During this initiative, it has emerged that 23 of the first 100 patients no longer wished or needed to have surgery. The reasons included spontaneous improvement in the condition, for which surgery was previously indicated, treatment elsewhere or the complication of more important social or medical problems. Of the remainder, 35 had already declined previous offers of admission, though were still recorded as having waited since the

date of their original entry on the waiting list (this recording convention is still normal practice in the NHS).

Of those offered new appointments, 24 have declined the latest offer of admission whilst five failed to arrive despite verbally agreeing to do so. After a great deal of administrative work, our latest estimate is that only 150 of the original 500 patients on our waiting list will have had operations by April 1992.

No one would wish to minimise the discomfort of those waiting a long time for surgery and, particularly those in frequent pain needing specialised procedures such as joint replacement and cardiac surgery. Nevertheless, our experience with a non-urgent general surgical waiting list shows that it is not nearly as bad as it looks.

Yours faithfully,  
DAVID CROSBY,  
University Hospital of Wales,  
Heath Park, Cardiff.  
October 25.

Complicated dietary advice and neurotic searching after cholesterol numbers are counter-productive.

Yours faithfully,  
MICHAEL I. GURR,  
Vale View Cottage,  
St Mary's, Isles of Scilly.  
October 22.

### Water extraction

From Mr N. A. McMahon Turner

Sir, Political parties and society in general wish farmers to conserve hedgerows, ponds, trees and wetland areas to encourage and support the wide variety of existing wildlife and fauna. This is at odds with the practice of the National Rivers Authority and the recently privatised water companies.

I farm on the Vale of York and have, over the last 16 years, planted many thousands of hardwood trees, restored the old field ponds and lakes, conserved our wetland areas by not draining them, and have even planted new hedges.

Recently, the historic high water table essential to our local conservation has dropped alarmingly, as have local river levels. The drought has been a contributory cause, but a much more serious cause is the substantial extraction of water by borehole with the result that the water table has dropped from two feet below surface level to 15 feet or

more today over just three years. As a result, the ponds and lakes are now mostly dry, surface springs have dried up, and much of the wildlife habitat and fauna we are trying to conserve has already been destroyed and the rest is in imminent danger of suffering the same fate.

The NRA propose to allow Yorkshire Water plc to extract a further 1,000 million gallons a year from beneath the Vale of York. Ironically, much of the extracted water is pumped back into the river Ouse to replace the water taken from it by the water companies.

British Coal are legally obliged to face the financial consequences of surface damage caused by their activities. Should not the same principle be applied to water companies, now that they are independent and very profitable bodies, and to the NRA?

Yours faithfully,  
N. A. McMAHON TURNER,  
Stockton Hermitage,  
Malton Road, York.  
October 22.

### Mythmatched

From the Dean of Carlisle

Sir, Titles of autobiographies can sometimes mislead (letters, October 12, 19). In a second-hand bookshop where did I find *Westminster Bridge*, the autobiography of the former organist of Westminster Abbey, Sir Frederick Bridge? Under topography of course.

Yours faithfully,  
HENRY STAPLETON,  
The Deanery, Carlisle, Cumbria.

From Mrs S. Sturrock

Sir, My husband's company publishes gardening books and, on a recent visit to Dublin, he was startled to find his title *700 Culture* on the hortensia shelves. Shortly afterwards, in a London bookshop, I noticed Julian Barnes's novel *Talking in the Psychotherapy* section.

Yours faithfully,  
SUSAN STURROCK,  
52 Hill Street,  
St Albans, Hertfordshire.

From Mr John Wallace

Sir, When I was working in Reuters head office in Fleet Street shortly after the war a colleague told me that on asking to a library for Saint Augustine's *City of God* he was directed to the town-planning section. I do not know whether the library assistant concerned was the one who entered in an index "Mill on Logic, ditto on Floss".

Yours faithfully,  
JOHN WALLACE,  
30 Kathleen Godfree Court,  
80 Queen's Road,  
Wimbledon, SW19.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071) 782 5046.

### Nothing to celebrate?

From Mr David Trimble, MP for Upper Bann (UPP)

Sir, Ken Broad (letter, October 21) complains that we have no revolution to celebrate. If, before going to France for the fourteenth of July, he was to go a few days earlier to Liverpool, Glasgow or Belfast he would find that the Glorious Revolution is celebrated in enjoyable style.

Sincerely,  
DAVID TRIMBLE,  
House of Commons.  
October 21.

From Mr P. B. Lewis

Sir, I suggest we have our Bastille Day on May 25. That was the day in 1660 when King Charles II landed at Dover, the monarchy was restored, the tyranny of Cromwell ended and the liberties of the people of England secured afresh. What better patron than the Merry Monarch for a day of national rejoicing. If the Puritans and Roundheads object, well they have long had their Guy Fawkes Day and bonfire night, though with typical spoilsport dismissal they would choose November.

Yours faithfully,  
P. B. LEWIS,  
Tribute Barn, Farleigh Court Road,  
Warrington, Surrey.  
October 21.

### Economic indicator

From Mr Timothy M. Simon

Sir, Contrary to what the Chancellor of the Exchequer has said, the recession is not over. Our plumber returned our telephone call.

Yours sincerely,  
TIMOTHY M. SIMON,  
Manitamas,  
Putney Park Avenue, SW15.  
October 24.





# Games in Charlie's court



Exile in terminal decay: David Kincaid as Charles Stuart with Elidh Fraser (left) as Louise and Janet Dye

## THEATRE

### Carlucci and the Queen of Hearts Hampstead

EVERY schoolboy knows, or should know, that Charles Edward Stuart was defeated at Culloden and escaped George II's soldiers disguised as a serving-maid. But even if he became the victim of sexual predators during his flight, as his wife maliciously suggests here, these events were not the last or least of his humiliations. George Rosie's lively new play shows him 30 years later, an exile in terminal decay. The Young Pretender has become an aged drunk, Bonnie Prince Charlie has dwindled into (his wife again) "the joke of Europe, a fat, impotent buffoon".

The scene is Florence, where Stuart continues desperately to hang on to the trappings of majesty, calling himself the King of England and expecting due reverence from what are, unsurprisingly, precious few visitors. Since a queen cannot be allowed the freedom to roam the city, his marriage is under strain, too. And since he spends most of his time quaffing wine, moaning about his digestion, belching and farting, the Italian dramatist Vittorio Alfieri, nominally to seek the Pretender's help in writing a play about Mary Queen of Scots, actually to have an affair with his young wife, Louise.

Add a couple of sneering British diplomats, observing and encouraging Charles's decline from behind their Venetian curtains, and Rosie's plot is fully wound up. Is it enough to sustain an evening? Perhaps the characters of Louise and Alfieri could be more

richly realised. Perhaps the action is a bit predictable and repetitious. Also, if the protagonist is fictional, the play would doubtless lose much of its frisson and seem thinner than it does. But Charles did exist, a built-in fascination is there, and all quibbles aside, Sandy Neilson's production did not bore me for a moment.

Thanks mainly to Elidh Fraser's Louise, a sullen, shy girl in anachronistically provocative silk lingerie, there is plenty of sexual tension in the Florentine air. Supposedly innocent conversations between her lover and her husband about Darnley, Rizzio

and the doomed Mary Stuart seethe with dark, coded meanings and dangers that she herself seems half to enjoy. But the centre of interest is always the bloated old man who may or may not be about to rumble her secret Charles himself.

As David Kincaid plays him, he is a gruesome figure, a dignified prince whom some malign fairy is gradually turning into a frog. He sits, and sometimes sleeps, in his gold-and-cream chair, a blue sash over his chest, a glass always beside him. There is a risk of untoward pathos here, especially when Charles whimsically

rewards his bottle for its loyalty by dubbing it a Knight of the Garter or dreams of making his illegitimate daughter his heir. But it is not easy to sentimentalise somebody at any second to spew into the royal basin or, admittedly under serious provocation, to rape his wife.

At all events, the result is a rounded character and a robust play. Perhaps somebody should consider transferring them both into the West End. It is hardly as if the place were brimming with decent oen work just now.

BENEDICT NIGHTINGALE

## NEW RELEASES

◆ **BOY IN THE HOOD** (15): Black urban drama from hot-shot director John Singleton, piled high with homilies, but atmospheric with Larry Fishburne, rap artist Ice Cube, Cuba Gooding Jr, Laurence Fishburne (071-458 1527) Fulham Road (071-370 2533) Screen on the Green (071-226 3520) Whiteleys (071-732 3332).

◆ **DEAD AGAIN** (15): An L.A. scissor murder from the Police returns to haunt Kenneth Branagh and Emma Thompson. Nonsensical, over-the-top suspense thriller. Branagh directs. Cannon: Fulham Road (071-370 2533) Screen on the Green (071-226 3520) Empire (071-497 9559) Whiteleys (071-732 3332).

◆ **DOCTEUR PÉRIOT** (12): French serial killer (Michel Serrault, childless) scours round Nazi-occupied Paris. Boldly styled in German Expressionist hues, director, Christian de Chalonge. Everyman (071-436 1525).

◆ **FURTING** (12): Steps to maturity at segregated Aussie boarding schools in 1965. Delightful sequel to *The Year My Voice Broke* from director John Duigan. With Noah Taylor, Theresa Newton. Cannon: Chelsea (071-352 5095) Piccadilly (071-437 3591) Tottenham Court Road (071-436 1525).

◆ **HOWLERS** (15): David Mamet's study of a Jewish cop in New York's mafia is shrewd as drama, but a vivid picture of urban hell. Stunning Joe Mantegna. Cannon: Fulham Road (071-370 2533) Screen on the Hill (071-436 3388).

◆ **MORTAL THOUGHTS** (15): Brutal hubby gets his throat slashed; wife and best friend have blood on their hands, and the police on their tail. Skyline.

◆ **BECKET**: Riveting performance from Derek Jacobi and Anthony Hopkins in Affair's play on the relationship between Henry II and the archbishop. Theatres: Royal, Haymarket, St. James (071-930 8800). Mon-Fri, 7.30pm, mat. Wed, Sat, 3pm, 10.15pm.

◆ **BLACK SNOW**: Robin Bailey's subtly funny Stanislawski figure in Bulgakov's first Moscow comedy. National (Odeon), South Bank, SE1 (071-226 2282) Tonight-Thurs, 7.30pm, mat. Thurs, 2.30pm, 10.15pm.

◆ **CURSE OF THE STARRING CLASS**: Hell in rural California as family life, powerful but unrelenting. Theatres: Theatres: Royal, Haymarket, St. James (071-930 8800). Mon-Fri, 7.30pm, mat. Wed, Sat, 3pm, 10.15pm.

◆ **DANCING AT LUGHNASSA**: Brian Friel's clever award-winning memory-play. Performances led by John Doyle. Phoenix, Charing Cross Road, WC2 (071-497 1044). Mon-Sat, 8pm, mat. Thurs, 3pm, Sat, 4pm, 10.15pm.

◆ **DON'T DRESS FOR DINNER**: Simon Caddell in average, farcical, farce. Apollo, Shaftesbury Avenue, W1 (071-494 5070). Mon-Fri, 7.30pm, mat. Wed, Sat, 3pm, 10.15pm.

◆ **GOOD GOLLY MISS MOLLY**: Cheerful trip through Fifties and Sixties life; timey plot but no matter. Arts, Great Newport Street, EC2 (071-636 2121). Mon-Thurs, 8pm, Sat, 5.45pm and 8.20pm, 10.15pm.

◆ **THE INVISIBLE MAN**: Jon Finch in more stage version of H.G. Wells' thriller. Minding special effects. Theatres: Royal Strand East, Gerry Rafferty Square, E15 (01-534 0310). Mon-Sat, 8pm, 10.15pm.

◆ **JOSEPH AND THE AMAZING TECHNICOLOR DREAMCOAT**: Jason Donovan sports a golden wig for his take on Joseph, trash revival. Piccadilly, Argyll Street, W1 (071-494 5070). Mon-Sat, 7.30pm, mat. Wed, Sat, 2.30pm, 10.15pm.

◆ **A WOMAN KILLED WITH KINDNESS**: Thomas Heywood's work is that rarely among Elizabethan plays, a drama of love, betrayal, remorse and goodness set in the world of country squares and their ladies. Michael Maloney and Sallia Reeves play the central couple pulled apart by all manner of domestic upsets. Kite Mitchell directs. Five years ago Heywood's *The Fair Maid of the West* became a landmark hit in Stratford and London. Opening night. The Other Place, Stratford-upon-Avon (01927 555523), 7pm.

◆ **CARMEN**: The first production in Scotland since the 1960s is a revival of Graham Vick's production of Bizet's *Carmen*, opening tonight in Glasgow before visiting Aberdeen, Birmingham and Newcastle. Jean Pugh takes the leading role. Arthur Davies is Don José, and Graeme Gilmour plays Escamillo. Italian Opera Company. Theatres: Royal, Hope Street, Glasgow (01132 555523), 7.15pm.

◆ **LONDON PHILHARMONIC ORCHESTRA**: Franz Weber-Mot conducts the orchestra in Shostakovich's Chamber Symphony. Mozart's Violin Concerto in G minor (K. 207) with soloist; George Street, Oxford (01865 245444), 7.30pm.

◆ **SEBASTIUS**: The 19th-century German composer's last opera, *Sebastius*, is a dramatic and musical triumph. Theatres: Royal, Hope Street, Glasgow (01132 555523), 7.15pm.

◆ **ORCHESTRE DE LA SUISSE ROMANDE**: The Geneva-based orchestra which attracted the attention of Ernest Ansermet's direction in the Fifties and Sixties, is back at the international spotlight, under musical director Armin Jordan who joined the orchestra in 1985. The first of two London concerts marks the orchestra's first ever visit to Britain. The programme comprises Stravinsky's *The Fire of Spring*, Schubert's *Overture*

at the Italian Style; and Beethoven's Fourth Piano Concerto with soloist Paul Lewis. The orchestra plays a second concert at the Festival Hall on Friday. Festival Hall, London EC2 (071-638 8881), 7.45pm.

◆ **TOVARICH**: After its successful run at Chichester this summer, Jacques Daval's enjoyable romantic comedy (filled with Hollywood and classical references) comes to the West End at the Piccadilly Theatre. Part 1: 8pm, Part 2: 8.30pm, mat. Wed, Sat, 3pm, 10.15pm.

◆ **RICHARD III**: Last opportunity to see Ian McKellen in his Olivier Award-winning role as the chilling dictator. Richard Eyre's production is a production for the National has successfully toured Eastern Europe and is planned to open in America next year. Theatres: Royal, Hope Street, Glasgow (01132 555523), 7.15pm.

◆ **KYLE MINOQUE**: To coincide with the forthcoming release of his fourth album, *Let It Go* - a collection with rising star Kyle Minogue and singer Keith Washington - Kyle Minogue gives the first of two concerts at Wembley as part of a nationwide tour. Wembley Arena, Wembley, Middlesex (0181 900 1234), 7.30pm.

◆ **NORTHERN BALLET THEATRE**: Artistic director Christopher Gable has the orchestra's first ever visit to Britain. The programme comprises Stravinsky's *The Fire of Spring*, Schubert's *Overture*

## CINEMA GUIDE

Geoff Brown's assessment of films in London and (where indicated with the symbol Ⓢ) on release across the country.

## CURRENT

◆ **AUNT JULIA AND THE SCRIPTWRITER** (12): Gaudy led (Kevin Kline) falls for feisty aunt (Barbara Hershey), while a soap opera writer (Peter Falk) weaves magic spells. Zestful treatment of Mario Vargas Llosa's multi-layered novel. Director, Jon Avnet. Odeon Haymarket (0426 915353).

◆ **THE COMMITMENTS** (15): Hard-bitten Dublin youngsters form a soul band. Fresh, funny, and buoyantly played by a largely amateur cast. Director, Alan Parker. Camden Parkway (071-267 7034) Cannon: Chelsea (071-352 5095) Tottenham Court Road (071-436 1525) Odeon Kensington (0426 914688) Marble Arch (0426 914601) Plaza (071-497 8559) Whiteleys (071-732 3332).

◆ **DEKALOG PARTS 5 AND 6** (15): A devastating analysis of a serial killer, murder, plus a voyeur's tale - two of the best from Krzysztof Kieślowski's Ten Commandments cycle. Renai (071-537 8402).

◆ **EDWARD II** (15): Riveting reworking of Marlowe's play by Derek Jarman; words and images leap out of the screen. Audience, Steven Waddington and

◆ **THUNDERBOLTS F.A.R.** - THE NEW AGE OF TELEVISION: A new version of cult television show, performed by two actors wearing specially made costumes. Theatres: West End, London WC2 (071-436 8111). Mon-Fri, 8.30pm, Sat, 5.30pm and 8.30pm, 10.15pm.

◆ **TRIBUTE TO THE BLUES**: A tribute to the blues. Theatres: West End, London WC2 (071-436 8111). Mon-Fri, 8.30pm, Sat, 5.30pm and 8.30pm, 10.15pm.

◆ **WAITING FOR GODOT**: PK Mayall. Aiden Edmondson first comedy hit. Theatres: West End, London WC2 (071-436 8111). Mon-Fri, 8.30pm, Sat, 5.30pm and 8.30pm, 10.15pm.

◆ **WHEN SHE DANCED**: Vanessa Redgrave unforgettable in *Shakespeare's* wife. Theatres: West End, London WC2 (071-436 8111). Mon-Fri, 8.30pm, Sat, 5.30pm and 8.30pm, 10.15pm.

◆ **PEACOCK**: Thelma Houston's performance led by Jerry Kelly. Theatres: West End, London WC2 (071-436 8111). Mon-Fri, 8.30pm, Sat, 5.30pm and 8.30pm, 10.15pm.

◆ **THE REVENGERS' COMEDIES**: A collection of comedies. Theatres: West End, London WC2 (071-436 8111). Mon-Fri, 8.30pm, Sat, 5.30pm and 8.30pm, 10.15pm.

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## ROCK

### Mary Black Dominion

MARY BLACK has brought Irish folk to the rock mainstream and been handsomely rewarded for it in Ireland, where her current album, *Babes in the Wood*, has already enjoyed a five-week run at the top of the chart. Her style is what the Americans call New Adult Contemporary. As a rough guide, imagine how Suzanne Vega or Kathy Mattea or even Joan Mitchell might sound if they had started out singing traditional folk in the pubs of Castlebar, County Mayo.

Black's "pure" folk credentials were reinforced early in her career by a spell with the traditional Irish band De Dannan and by her own 1984 album *Collected*, but she has subsequently added pop, jazz and middle-of-the-road elements to create mellifluous, beguiling soft rock of an unmistakably Irish provenance.

In London she was greeted by a fiercely partisan crowd, which clapped knowingly as soon as she started each song and laughed uproariously at the mild humour of her few comments. Fortunately, Black resisted the temptation to play to the gallery, and concentrated instead on putting across with silken conviction a repertoire of mystical, dreamy, romantic and often rather melancholy material.

## OPERA

### Jenůfa Glyndebourne

NIKOLAUS LEHNHOFF's highly praised 1989 production of Janáček's *Jenůfa* is taken up by Glyndebourne Touring Opera with a mostly new cast, but packs as powerful a punch as ever. The sets for Acts II and III, designed by Tobias Hünneiss, locate the action in an aptly severe interior, the ice-blue walls tapering at the rear

one of which she had written herself. With her black jacket and black pleated skirt, and her striking hair loosely gathered into a pony tail, her demure voice, presence, complemented a voice of serene clarity, its rich, full-bodied tones free of vibrato or other sugar performance effects.

Her band played and harmonised with sympathetic élan. Foremost among the rootsy sounds of accordion, soprano sax, upright bass, electric keyboards, fiddle and discreet percussion was the acoustic guitar of Declan Sinnott, whose precisely articulated playing set the quiet yet punchy spirit of the performance.

The only danger of such a genteel presentation was that with one or two of the jollier numbers, notably "Brand New Star", it all began to sound a bit twee, while the odd inclusion of Lennon and McCartney's "Across the Universe", sung by percussionist Noel Bridgeman in a heavy Irish brogue, was a selection better suited to a Friday night hooley in a Kilburn bar.

For the most part, though, Black's performance was commanding and her choice of songs impeccable. From the soulful ballad of "No Frontiers" and the sprightly canter of "Another Day" (both written by Jimmy McCarthy) to the haunting "Columbus" and the sorrowful "Elis Island" (both written by Noel Broad), singer and band conjured a mood of rare musical and spiritual accord.

DAVID SINCLAIR

## ROCK

### Lloyd Cole Hammersmith Odeon

OVER the course of five albums (three with the now-defunct Comotions and two as a solo performer), Lloyd Cole has established himself as pop's accidental tourist, stumbling thesaurus rather than Biederer in hand - through landscapes of emotional and sexual displacement. While not quite package holiday territory, neither are these uncharted regions.

But at last his postcards home, their characteristically rich guitar-bass highlighting pleasingly laconic vocals, have been more tellingly and originally written than those of most other Top 40 travellers. It was fitting, then, to sense something of the explorer-narrator about the well-groomed yet still awkward figure who took the Odeon's stage dead on time and wearing a crisp white shirt, neat waistcoat and pea-green trousers.

But if Cole looks more like a hip lecturer than a rocker, it is always a surprise to be confronted by the robust band sound he favours in concert. For despite the lack of fist-in-the-air mannerisms, there was nothing imprecise or wimpy about highlights such as "Pay For It" and "Butterfly", both from his most recent and consistently excellent album, *Don't Get Weird On Me Babe*.

Between songs was a different matter. Nervousness (at least, so one suspects), made Cole adopt an oily, almost leering tone for his always self-deprecating asides to the audience. So it was that even his favourite response to a highly enthusiastic reception, "Thank you very much", took on a slightly sinister edge. Think of Peter Cushing plying sweets to small children and you have something approaching the sonic picture.

No such oneness to his singing voice, though. For all that he is dogged by the criticism of being affected or pretentious, Cole has always maintained a stentorian approach to the pop song, and remains capable of injecting steel into the spine of even that most artful of his own lyrics ("If you really want to get straight/ Read Norman Mailer/ Or get a new tailor, from the still affecting 'Are You Ready to Be Heartbroken'").

Pop being a highly partisan and self-congratulatory game, Cole's crowd was temporarily wrong-footed by his generous introduction ("Here's one of the best songs of recent years...") to the evening's only cover, a decent enough version of the Pet Shop Boys' "Being Boring", offered as one of several encores. But the parting salvo of his own "Perfect Skin" provided conclusive proof that Cole himself is more than ripe for reappraisal as singer, songwriter and, not least, performer.

ALAN JACKSON

with Steve and Jenůfa. A flesh-and-blood character of this kind provides a far more powerful hub for the drama than a merely strident harrier.

Susan Bullock's Jenůfa is also an engaging realisation of the character. She is an milk-and-water victim of the war of the sexes or repressive social forces, but a real woman who is scarred emotionally as surely as she is by the knife of Laca. Her prayer in Act II was delivered with startling intensity.

Kim Begley's Laca is strongly sung and conveys well the awkwardness of the good-for-nothing who turns out to

have a heart of gold. Christopher Ventris, attractive in voice and appearance, is well cast as Steve. Ellen ap Robert is a bouncy Karolka, the Mayor's daughter, and Gordon Sandison and McNeil Davies repeat their performances of the Mayor and Grandmother Burja.

Graeme Jenkins's conducting emphasises the insistent sharp, stabbing motifs that permeate the score, but he is also alive to the tenderness and, finally, the humanity that irradiates it.

BARRY MILLINGTON

Arts features, page 14

## WORD-WATCHING

Answers from page 22

### WOUBIT

(c) A hairy caterpillar, especially one of the tiger-moth, and applied derogatorily to a person, implying smallness and shabbiness, from the ME *wolde woul*; a woken element: "It was an hairy woubit/Sae proud he crept along."

### CYMA

(c) An ongo moulding of the cornice, the outline of which consists of a series of small, rounded, arch-like shapes, and from the Greek *kyma* anything swollen, a blow: "The second part which remains of the Modulor you shall give unto cyma."

### BRUMBY

(c) A wild horse, orig. obs.: "Australia first called the wild horses warrials from the black tribes of Warry, and then, because the latter name said to have been derived from a Mr Brumby who lived in Tasmania."

### APOEPTIC

(c) Valeriodic, pertaining to dismissal, from the Greek *apoeptin* to send away: "They dismissed them, following them to the altars with apoeptic hymns."

## ENTERTAINMENTS

### EXHIBITIONS

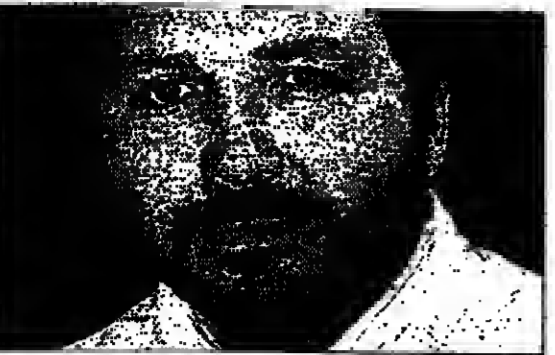
Alexander Godeffroy. An exhibition of his recent work on a Victorian theme. Theatres: Royal, Hope Street, Glasgow (01132 555523), 7.15pm.

### OPERA & BALLET

CONCERTS 071 436 5161 or 071 436 5162 or 1st Oct 071 240 2000/2001/2002/2003/2004/2005/2006/2007/2008/2009/2010/2011/2012/2013/2014/2015/2016/2017/2018/2019/2020/2021/2022/2023/2024/2025/2026/2027/2028/2029/2030/2031/2032/2033/2034/2035/2036/2037/2038/2039/2040/2041/2042/2043/2044/2045/2046/2047/2048/2049/2050/2051/2052/2053/2054/2055/2056/2057/2058/2059/2060/2061/2062/2063/2064/2065/2066/2067/2068/2069/2070/2071/2072/2073/2074/2075/2076/2077/2078/2079/2080/2081/2082/2083/2084/2085/2086/2087/2088/2089/2090/2091/2092/2093/2094/2095/2096/2097/2098/2099/2100/2101/2102/2103/2104/2105/2106/2107/2108/2109/2110/2111/2112/2113/2114/2115/2116/2117/2118/2119/2120/2121/2122/2123/2124/2125/2126/2127/2128/2129/2130/2131/2132/2133/2134/2135/2136/2137/2138/2139/214

BBC 1

6.00 Cee-fax  
6.30 BBC Breakfast News  
9.05 Kilroy, Robert Kilroy-Silk hosts another topical discussion



Vegetarian banquet: Paul Geyter prepares tasty food (9.50am)

9.50 Hot Chefs. Chef Paul Geyter prepares cannelloni of ratatouille with cheese and basil  
10.00 News, regional news and weather 10.05 Playdays (r) 10.25 The Jeff Banks and Carol Franklin report on Vienna's first show in Paris, and the best of the rest. And the search begins for the Clothes Show Bride of the Year (r)  
11.00 News, regional news and weather 11.05 No Kidding. Mike Smith and Kate Copstick present the general knowledge quiz for families (s) 11.30 People Today 12.00 News, regional news and weather 12.25 Regional news and weather  
1.00 One O'Clock News and weather  
1.30 Neighbours. (Cee-fax) (s) 1.50 Four Square. John Sachs hosts the knock-out quiz  
2.15 Racing from Redcar. Julian Wilson introduces replays of the Essex County Stakes and the 25th Annual Maiden Stakes at 2.20. Followed by live coverage at 2.30 of the Westminster Motor Tack Insurance Handicap Stakes; (3.00) The Westmorland Nursery Handicap; (3.30) The Raceday Gold Trophy  
3.50 Puddingtime. Cartoon (r) 3.55 Bodger and Badger. Episode five of the 12-part children's comedy drama (s) 4.10 Heathcote with Cee and Co. Animated adventures of an alley-cat (r)  
4.35 Now There's Here King Harold Was Killed  
● CHOICE: As if it isn't enough that *Now Then*, the history series for children, should bear one of the cleverest titles imaginable, it has the bare-faced nerve to challenge the venerable teaching that children are children and history is history and never the twain shall happily meet. And not only meet but mingle. Today's film has two youngsters from the 20th century (Aaron and Braxton Christie) communing in Battle Abbey with two ghostly children (Andy Turner, Stewart Hodsoll) from the 13th who, having been around only two centuries after the Battle of Hasting, are able to correct archaeological Francis Pryor when he avers that it was the arrow that did for Harold. "Oh no it wasn't", says Master Harold. "He was fetched off his horse and hacked to death by the Normans knights!" And there's the Bayeux Tapestry to prove him right  
5.00 Newsround 5.10 Grange Hill. (Cee-fax) (r) (s)  
5.35 Neighbours (r). (Cee-fax) (s). Northern Ireland: Inside Ulster  
6.00 Six O'Clock News with Peter Sissons and Anne Ford. Weather  
6.30 Regional news magazines. Northern Ireland: Neighbours. (Cee-fax) (r)  
7.00 Second Counts. Quiz in which Paul Daniels fires the questions and gives couples a set time to answer (s)  
7.30 EastEnders. Drama in London's Albert Square. (Cee-fax) (s)  
8.00 The Fall and Rise of Reginald Perrin. Reginald (Leonard Rossiter) returns from his travels disguised as an old friend of the family (r)  
8.30 A Question of Sport. David Coleman hosts the sporting quiz. Team captain Bill Beaumont is joined by cricketer Phil Tufnell and footballer Gordon Strachan, while Ian Botham's guests are squash player Lisa Ogie and boxer Dave McAluley. (Cee-fax) (s)  
9.00 Nine O'Clock News with Michael Burk. (Cee-fax). Regional news and weather  
9.30 Making Out. Comedy drama about the lives and loves of women at an electronics factory in the north of England. (Cee-fax) (s). Wales: *Week in Week Out*, 10.00 Making Out  
10.20 Film '91 with Barry Norman. Includes a review of *Blonde Fatale* (s) 10.40 *Curly*. Curly's Margi Clarke, and Disney's Jeffrey Katzenberg talk about the cartoon classic *Fantasia*, soon to be released on video (s). Northern Ireland: Daughters of the Falls  
10.50 Elaine Paige in Concert at the new Symphony Hall in Birmingham, Northern Ireland. 11.00 Film '91 with Barry Norman; 11.30-12.25am Elaine Paige in Concert  
11.45 Weather

BBC 2

8.00 News  
8.15 Six Faces of Royalty: Charles I - The Making of a Martyr. Sir Roy Strong examines portraits of some of England's monarchs (r)  
8.30 Life in the Slow Lane. A documentary about, and this reason for, this transportation over a period of 12 weeks in 1988 of one of the biggest loads to be carried by road in Britain (r)  
9.00 Daytime on Two. Quince Minutes (r) 9.15 Limerick Express (r) 9.30 Day Tames (r) 9.45 You and Me (r) 10.00 Over the Moon 10.15 Look and Read (r) 10.30 O & A (s) 10.40 Techno (r) 11.00 Watch: Food (r) 11.15 English Express 11.35 Science Challenge (s) 11.55 Into Music (s) (r) 12.15 Stop and Think (r) 12.35 The Global Environment (r) 12.55 A Way with Numbers (r) 1.20 Bertha (s) (r) 1.35 Jimbo and the Jet Set (r) 1.40 Hawk's Eye: On Rubbish  
2.00 News and weather followed by You and Me: Ganging Up (r) 2.15 Medical Matters: Look Before You Leap. The dangers of taking ecstasy 2.30 See Hear! Magazine for the hearing impaired (r)  
3.00 News and weather followed by Tim Bilton Hangs A Report by Ross Muir from Papua New Guinea on the quest by Scottish youngsters to help people living in developing countries (r) 3.50 News, regional news and weather  
4.00 The Nut House: Sulfas, Lies and Videotapes. American comedy series, created by Mel Brooks (r) 4.15 Limerick Express (r)  
4.25 The History Man. Brian McNeeray visits Framlingham Castle in Suffolk (r)  
4.30 Trivial Pursuit. Rory McGrath hosts the television version of the popular board game. (Cee-fax) (r)  
5.00 Relatively Speaking. The childhood memories of Dame Alice Marlowe and her younger sister Dore Marks  
5.30 Dream Gardeners. Humphrey Repton - Improving on Nature. Sir Michael Howard presents a profile of the landscape gardener (r)  
6.00 Film: Chameleon (1989). Western starring Elvis Presley as a reformed outlaw, framed by his former gang for the robbery of a jeweller-encrusted Mexican cannon. Directed by Charles Marquis Warren  
7.35 Animation Now. Mountain Man. Filmed in claymation  
7.40 Assignment: New Nations. Old Hatreds. John Tusa chairs a debate on nationalism and the claims for self-determination in eastern Europe and asks how the West should respond to demands for nationhood by the Croats, Moldavians, Slovaks and others. Those taking part include Enoch Powell, Dr Garret FitzGerald, Jan Carnap, the Slovenian prime minister, and Branko Skala, the Croatian minister of information  
8.30 Food and Drink. The food programme looks at the threat to the North Sea's fish stocks; tries an Italian recipe for homemade bread; samples English wines; and reports on a Reading school which includes catering on the curriculum  
9.00 Bottom: Accidents. Lavatorial humour, written and performed by Adrian Edmondson and Rik Mayall. Last in the series. (Cee-fax) (s)



Talking dialect: Joan Washington, Howard Jacobson (8.30pm)

9.30 Think of England: You Mrs Askew  
● CHOICE: Whether he is being really serious about it or, more likely, just having fun with it, the novelist Howard Jacobson - born in Lancashire, and not at all proud of what that did to his speech - leaves no stone unturned while looking for other nearby examples of regional speech and dialect during his mini-tour of Britain. Waving an invisible banner that bears his battle cry, "A plume in the mouth is a highly desirable alternative to whatever else there is!", he seeks help from the National Theatre coach who tells him, depressingly, to be proud of possessing a voice which, according to Jacobson, must make other folk think of clods in Shakespearian, peasants in translated Dostoevsky, Coriolanus Street, and a landscape with no sky. However, Jacobson cannot really believe that all this adds up to much of a handicap because he takes up an invitation to address the Arnold and Brackenbury Society at Balliol College, Oxford  
10.10 The Staggering Stories of Ferdinand de Borgia: Of Elephants and Planes (r) (s)  
10.30 Newsnight with Jeremy Paxman  
11.15 The Last Steps. The series, a media magazine examines the myths surrounding the Post-Impressionist painter Toulouse-Lautrec 11.55 Weather

ITV

6.00 TV-am  
9.25 Jeopardy! Steve Jones hosts the quiz show 9.55 Thames News and weather  
10.00 The Time... The Place... Topical discussion series, presented by Mike Scott  
10.40 This Morning. Family magazine series  
12.10 Rod, Jane and Freddy. The trio displays mixed emotions (r)  
12.30 News. (Oracle) Weather 1.10 Thames News and weather  
1.20 Home and Away. (Oracle)  
1.50 A Country Practice. Australian medical drama series (s)  
2.20 Take the High Road. Drama in the Scottish Highlands  
2.50 Talkabout. Andrew O'Connor returns for a new series of the fast-talking quiz show 3.15 News headlines 3.20 Thames News headlines  
3.25 Families. Anglo-Australian soap (s)  
3.55 Children's TV beginning with Hot Dog. Puppet series 4.05 Rupert. Adventures with the cartoon bear (s) 4.30 Children's World. Children's hospital drama. (Oracle) (s) 5.00 Sylvester. Cartoon (r)  
5.10 Blockbusters. Bob Holness hosts the general knowledge quiz for teenagers  
5.40 News with Fione Armstrong (Oracle) Weather  
5.55 Thames Help. Jackie Spectrely looks at rock climbing  
6.00 Home and Away. (Oracle) (r)  
6.30 Thames News (Oracle)  
7.00 Emmerdale. Drama in the Yorkshire Dales (Oracle)  
7.30 Thames Reports: Who'll Rise London. Five years after Mrs Thatcher abolished the Greater London Council, Roger Beam examines the options for a Conservative U-turn  
8.00 The Bill. Shots. Det PC Loxton (Tom Basher) make the right decision when he shot at an armed villain? (Oracle)  
8.30 Just for Laughs. A compilation by Gerald Thomas of clips from classic British comedy films (r)



Game for protection: Michael Elphick at the Manor (9.00pm)

9.00 Boon: Lie of the Land. Comedy-drama series starring Michael Elphick as Ken Boon, the glib but private detective Crawford Boon Security is protecting games for the Lord of the Manor. With Frank Windsor and Maggie O'Neill. (Oracle)  
10.00 News at Ten with Julia Somerville and Fiona Armstrong. (Oracle)  
10.30 Thames Sport Special. Nick Owen presents championship boxing from the Albert Hall as the British featherweight champion Colin McMillan defends his title against the former champion Sean Murphy. Plus football action from the third round of the Fumbles Cup  
12.00 Prisoner Cell Block H  
12.30am Video View. Mariella Frostrup with news of the latest video releases, including Disney's *Fantasia* and *The Simpsons*. Plus reviews of *Encounter at Ravenscraig*, *Not Without My Daughter*, a true-life drama set in Iran, and *Defending Your Life*, starring Meryl Streep and Albert Brooks  
1.20 The Equalizer: Making of a Martyr. New York avenger McCall (Edward Woodward) offers to help a woman whose life is threatened following her car for gun-control (r)  
2.10 Donahue: What Really Goes On Under the Sheets. Phil Donahue chairs a discussion on sexual secrets  
3.00 60 Minutes. American news magazine  
4.00 Entertainment UK. The weekly guide to what's on in Britain  
5.00 Three's Company: Cousin Cousine. American comedy series, starring John Ritter  
5.30 ITN Morning News. Ends at 6.00

CHANNEL 4

6.00 The Channel 4 Daily 9.25 Schools  
12.00 Profiles of Nature: Bighorn Sheep  
12.30 Business Daily. News and analysis from the City  
1.00 Sesame Street. Pre-school learning series  
2.00 Film: The Romantic Age (1949, b/w) British comedy about a French schoolgirl (Mai Zetterling) who seduces art teacher Hugh Williams at an English girls' finishing school with Margot Graham and Petula Clark. Directed by Edmund T. Greville  
3.35 Peter Smith Specialities: Historical Oddities (b/w) Historical legends are put under the microscope in this 1955 film  
3.45 Third Wave with Mavis Nicholson: An Alternative Prescription  
● CHOICE: The production company which made this film calls itself Yo Yo Films it's not a bad name, considering that the over-55s whose progress at a centre for natural healing the film charts, bob up and down as it lugged by impersonal strings and not by caring human hands. So satisfactorily self-explanatory is the film about the working of alternative/complementary medicine that the contribution of Mavis Nicholson as presenter is negligible. This will not be good news for her fans, who include your presenter. Among the pan-easing therapies employed at the health spa is a finger-pressure treatment called chiatsu, after a course of which one over-70 patient reports that she feels she has been given a whole new body. Yo Yo Films will be swamped by alt-friendly channels demanding to know where this seaside Shangri-la is located. (Teletext)  
4.30 Fifteen-to-One. William G. Stewart hosts the quick-fire quiz (s)  
5.00 If Wishes Were Horses: The Walk. Louise Hall-Taylor presents a support series about children and horses. Mixed ability riders are put through their paces as they learn to mount and dismount (s)  
5.30 Same Difference. The series which looks at issues of concern to the disabled reports on the proposal by diabetics to take the makers of insulin to court  
6.00 My Two Dads: Artful Dodger. American comedy series  
6.30 Happy Days. American comedy series set in the 1950s  
7.00 Channel 4 News. (Teletext) Weather 7.50 Comment  
8.00 The Black Bag: Mules. The first in a new series dealing with issues of concern to the black and Asian communities deals with the increasing number of women from developing countries who are serving long prison sentences for smuggling drugs into Britain



Cautious under scrutiny: Catherine Hills investigates (8.30pm)

8.30 Down to Earth  
● CHOICE: Channel 4's archaeology magazine is back, presented by Catherine Hills as always understated, eclectic and not too technical. Oddly enough, there is just one bit of overstatement tonight. Down to Earth rarely uses emotional words such as "explosive" when discussing archaeological developments, but it does in its item about the Gundestrup Cauldron, a chalice-like object discovered in a Denmark bog 100 years ago and always believed to be an example of Celtic art. New research by Timothy Taylor, a British archaeologist, suggests that the figures on the cauldron could be of Indian descent. The possibility is, therefore, that the cauldron could have been made, then transported from East to West, by forerunners of the gypsies. Explosive? Down to Earth would have kept the word in reserve. It will probably be needed to describe other exciting discoveries in the coming weeks. (Teletext) (s)  
9.00 Without Walls: For Love or Money. Nicholas Ward-Jackson surveys the world of antiques and collecting  
10.00 Film: The Child Saver (1988). Made-for-television drama about a Madison Avenue advertising executive (Alicia Woodward), whose involvement with a seven-year-old drug addict threatens her career, and her life. Directed by Stan Lathan  
11.45 Empty Nest: On the Interpretation of Dreams. American comedy series about a widower. Starring Richard Mulligan (s)  
12.15am Setting the Record Straight. A profile of the violinist Papa John Creach  
1.25am Titikram - Ancient Heart. In concert on Bromo Island in Norway. Ends at 2.20

TV VARIATIONS

ANGLIA  
As London except: 6.25pm-7.00 Anglia News 7.30-8.00 Food Guide

BORDER  
As London except: 6.10pm-6.40 Home and Away 6.40-7.00 Local News 7.30-8.00 Local News 8.00-8.30 Local News 8.30-9.00 Local News 9.00-9.30 Local News 9.30-10.00 Local News 10.00-10.30 Local News 10.30-11.00 Local News 11.00-11.30 Local News 11.30-12.00 Local News 12.00-12.30 Local News 12.30-1.00 Local News 1.00-1.30 Local News 1.30-2.00 Local News 2.00-2.30 Local News 2.30-3.00 Local News 3.00-3.30 Local News 3.30-4.00 Local News 4.00-4.30 Local News 4.30-5.00 Local News 5.00-5.30 Local News 5.30-6.00 Local News 6.00-6.30 Local News 6.30-7.00 Local News 7.00-7.30 Local News 7.30-8.00 Local News 8.00-8.30 Local News 8.30-9.00 Local News 9.00-9.30 Local News 9.30-10.00 Local News 10.00-10.30 Local News 10.30-11.00 Local News 11.00-11.30 Local News 11.30-12.00 Local News 12.00-12.30 Local News 12.30-1.00 Local News 1.00-1.30 Local News 1.30-2.00 Local News 2.00-2.30 Local News 2.30-3.00 Local News 3.00-3.30 Local News 3.30-4.00 Local News 4.00-4.30 Local News 4.30-5.00 Local News 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# Polaris 'forced' to spend longer at sea

By MICHAEL EVANS, DEFENCE CORRESPONDENT

BRITAIN'S Polaris nuclear submarines are spending longer at sea because rigorous new safety checks have forced the Royal Navy to change their normal patrolling sequences, Admiral Sir Julian Oswald, chief of naval staff, said yesterday.

Patrols by Polaris ballistic missile boats have been extended by about 15 per cent, he said. This is the equivalent of between one and two extra weeks at sea.

In an interview with *The Times*, Sir Julian said the safety checks of the submarines' nuclear reactors involved highly complex work. They were ordered after the discovery about 18 months ago of a fault in the primary cooling system around the

reactor of several of the oavy's older nuclear-powered submarines. Polaris boats are more than 20 years old.

Sir Julian said the reactors were hard to get at. Contradicting recent reports by Greenpeace that the Polaris boats were no longer safe, Sir Julian said: "We're absolutely committed to the safe operation of marine nuclear reactors. There is no way, for the personnel and for the environment, that we would send reactors to sea unless we felt it was safe to do so."

Each boat has to be given a safety certificate by the independent nuclear-powered warships safety committee before going out on patrol. "We never have sent, and I hope we never will send a submarine to

sea against the advice of that committee," he said.

Sir Julian said he was satisfied that Britain would be able to rely on Polaris as the strategic deterrent until replaced by the Trident system. The first Trident boat is due to come into service in December 1994. Sir Julian said that deadline would be met.

"Polaris and Trident will run in tandem for a short time and then Polaris will be phased out," he said. Fewer people were now being trained for Polaris and less work was being carried out on Polaris missile maintenance.

The crew for the first Trident submarine, HMS Vanguard, was selected and in training, he said. The first Trident captain will be Commander David Russell.

HMS Vanguard is due to be "dunked" into the water from a hoisting platform in February and formally named in April.

Sir Julian admitted that while the timetable for Trident was "in general" running according to plan, it might still be necessary to carry out a final £100 million refit of a Polaris boat. A decision is expected soon.

Three Trident boats are under construction and an order for the fourth and final boat is expected early next year.

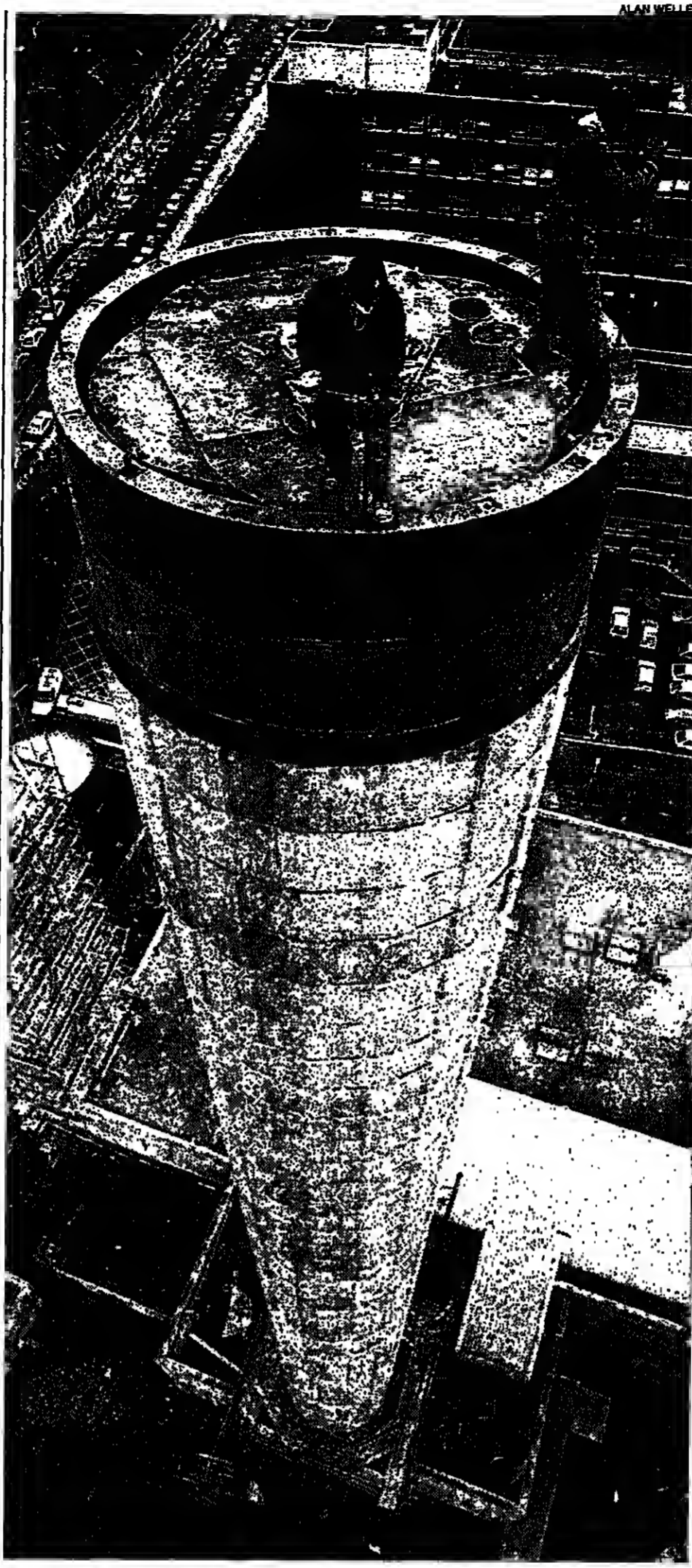
## Fear for TV standards

Continued from page 1

ITV programme controllers refused to comment specifically on the Thames proposal last night, but Marcus Plantin, head of programmes at LWT, said: "I cannot imagine that ITV would want to see any lessening in strength of the overall Christmas schedule."

A BBC executive said: "If Thames is saying ITV should give up trying because BBC has a strong Christmas schedule, one has to ask who is the audience or the advertiser?"

Thames also wants current affairs programmes to be rescheduled next year. If the plan is adopted, programmes such as *World In Action* and *This Week* would be moved from 8.30pm to about 7.30pm. Bigger audience grabbing dramas and comedies would be scheduled in the more valuable 8.30pm slots.



Point of view: Dave Bull and Gary Garside, both steepjackers, admire a 200 ft precast concrete chimney built in three weeks at St George's hospital, southwest London. The chimney is part of £600,000 programme aimed at saving energy and cutting pollution

# Whitehall mandarins adopt universities

Continued from page 1

permanent secretary at the Foreign Office, has also chosen Hull University and the Polytechnic of Oxford.

A number of mandarins have adopted the universities they attended, with Sir Terence Burns, permanent secretary at the Treasury, choosing Manchester University, along with the city's UMIST and its polytechnic. Other choices show a trend towards adopting institutions specialising in areas of interest to particular departments.

Almost all permanent sec-

retaries have endorsed the adoption scheme, although those at the top of the Scottish Office and Northern Ireland Office are not taking part because they are said to have developed close links already with the universities and polytechnics in their areas.

Neither will Sir John Caines, permanent secretary at the education and science department, be adopting a university. "He feels it would be invidious for him, in his position, to single out one institution," a spokesman said.

Below is the list of leading civil servants, where they were educated, and the various institutions they have adopted

Sir Derek Andrews, permanent secretary at the Treasury, Food, and Fisheries, educated London School of Economics; Adopted Newcastle University, Reading University, Wye College, University of London.

Sir Anthony Battershill, chairman Inland Revenue, educated Taunton School, London School of Economics; Adopted LSE, Birmingham Polytechnic, Brighton Polytechnic.

Patrick Brown, permanent secretary transport department, educated Royal Grammar School, Newcastle upon Tyne, London University; Adopted Sunderland Polytechnic, Polytechnic of North London, Loughborough University.

Sir Terence Burns, permanent secretary at the Treasury, educated Houghton-Le-Spring grammar school, Manchester University; Adopted Manchester University, UMIST, Manchester Polytechnic.

Sir Robin Butler, Cabinet Secretary, educated Harrow School, University College, Oxford; Adopted Aston University, Warwick University, Thames Polytechnic.

Dr Kenneth Calman, chief medical officer, educated Alan Glen's school, Glasgow, Glasgow University; Adopted Glasgow University, Leeds University, Polytechnic of East London.

Geoffrey Clapperton, Property Services Agency, educated Cranleigh, New College, Oxford; Adopted University of Wales at Cardiff.

Sir Christopher Francis, permanent secretary health department, educated East Ham grammar school, New College, Oxford; Adopted Southampton University, City University, Brighton Polytechnic.

Sir David Gilmore, permanent secretary Foreign Office, educated Trent College, King's College, Cambridge; Hull University, Cambridge University, Polytechnic of Oxford.

Sir Peter Gregson, permanent secretary trade and industry department, educated Nottingham High School, Balliol College, Oxford; Adopted Imperial College, London, Salford University, Polytechnic of Central London.

John Guinness, permanent secretary energy department, educated Rugby School, Trinity Hall, Cambridge; Adopted Aberdeen University, Heriot Watt University, Surrey University.

Sir Terence Heiser, permanent secretary environment department, educated Windsor County Boys school, Berkshire College, University of London; Adopted Birkbeck College, Open Univer-

sity, Bradford University, Bristol University.

Sir Geoffrey Holland, permanent secretary employment department, educated Merchant Taylors' school, St John's College, Oxford; Adopted Sheffield University, Sheffield Polytechnic, Polytechnic South West.

Sir Peter Kemp, second permanent secretary Cabinet Office, educated Millfield School, Royal Naval College, Dartmouth; Adopted Oxford University, Coventry Polytechnic.

Timothy Lankester, permanent secretary Overseas Development Administration, educated Marlborough College, King's College, Cambridge; Adopted Brunel University, Exeter University, Wolverhampton Polytechnic.

Dr Malcolm McIntosh, chief of defence procurement; Adopted Cranfield Institute.

Sir Michael Partridge, permanent secretary social security department, educated Merchant Taylors' school, St John's College, Oxford; Adopted York University, Middlesex Polytechnic.

Donald Sapers, controller of aircraft procurement, educated Raynes Park County grammar school, Trinity College, Cambridge; Adopted Bristol Polytechnic.

James Stewart, second permanent secretary health ministry, educated Marlborough School, Keele University; Adopted Keele University, St Andrews University, King's College, University of London.

Sir Brian Urwin, chairman of Customs and Excise, educated Chesham School, New College, Oxford; Queen Mary College and Westfield College, University of London, Liverpool University, Liverpool Polytechnic.

Sir Colin Watkinson, permanent secretary Home Office, educated Sutton Grammar school, Christ's College, Cambridge; Adopted Lancaster University, Leicester Polytechnic, Staffordshire Polytechnic.

Michael Richard, chief executive of the Benefits Agency; Adopted Leeds Polytechnic.

Ann Chant, chief executive of the Contributions Agency; Adopted Newcastle upon Tyne Polytechnic.

John Kenworthy, chief executive of the Environment Technology Services Agency; Adopted Lancaster University.

# Dutch offer treaty on currency union

Continued from page 1

argument sought to apply their own pressures. Neil Kinnock said that the government risked being left behind on Europe, implying that Labour was more ready than the Conservatives to sign up to what was likely to be on offer.

Saying that government policy was being framed less in the country's interests than to meet pressures from Margaret Thatcher and Norman Tebbit and to cover up divisions in the Conservative party, the Labour leader said in a BBC interview: "There is a danger that they will be left behind and left out of influence in the remainder of the European economy."

Edward Heath, the former Conservative prime minister who took Britain into Europe, urged John Major to be bold and to ignore Norman Tebbit and Margaret Thatcher. He asked: "Why did her colleagues in the cabinet get rid of her? Very largely because of

her attitude and behaviour in Europe."

Paddy Ashdown, the Liberal Democrat leader, said that Mr Major had to "get off the fence" and show decisive leadership. His own party yesterday launched an "alternative Queen's Speech" including provision for full British participation in the European monetary system, a single European currency and an independent European central bank.

Mr Ashdown called the Dutch presidency's provisions on the single European currency, which would allow the British parliament to decide whether to participate at a later stage, "a short-term buy-off for the Conservative right wing". But he added that that was a "perfectly reasonable price to pay" if it led to British participation.

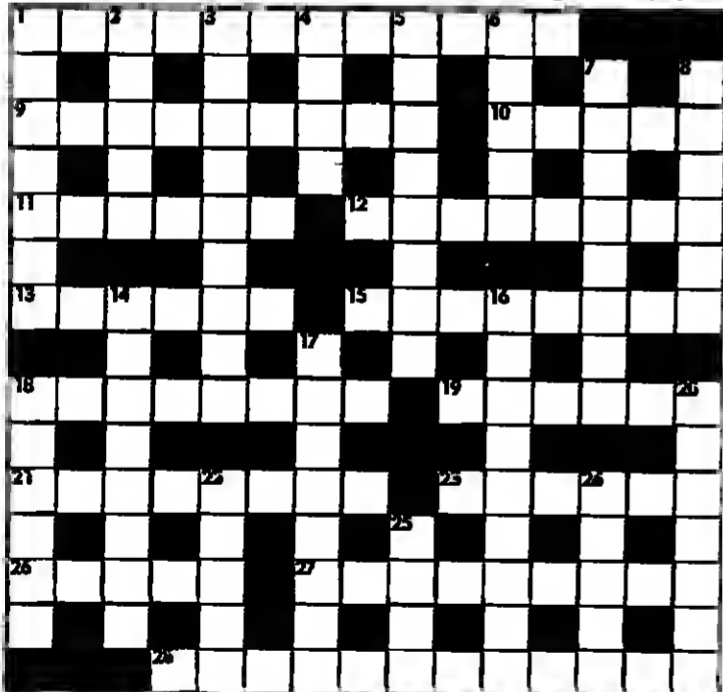
Britain pressed, page 13  
Sir Alan Walters, page 16  
Leading article, page 17

## FIRST TIME LUCKY

Pickwick Papers, *Wuthering Heights* and *Lucky Jim* have one thing in common: they were all first novels. Today's struggling authors may not be so lucky but the Whitbread First Novel award offers £2,000 for the best first work — and the shortlist is strong on humour. Even Helel Zabavi's *Dirty Weekend*, about a female killer who retaliated against obscene phone calls, lechers and rapists, spices its political message with laughter.

In *The Times* tomorrow Nicky Jones reviews the runners and riders in the first novel stakes

## THE TIMES CROSSWORD PUZZLE NO 18,749



WORD WATCHING  
By Philip Howard

WOUBIT  
a. An engagement present  
b. Leflovers food  
c. A hairy caterpillar

CYMA  
a. A wave for surfing  
b. A two-handed drinking bowl  
c. An age moulding

BRUMBY  
a. A bring-and-buy sale  
b. Counting from Birmingham  
c. A wild horse

APPEMPTIC  
a. Every fifth  
b. Saying goodbye  
c. Having a fiery complexion

Answers on page 30

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M-ways/roads M23-M4 735  
M25 London Orbital only 736

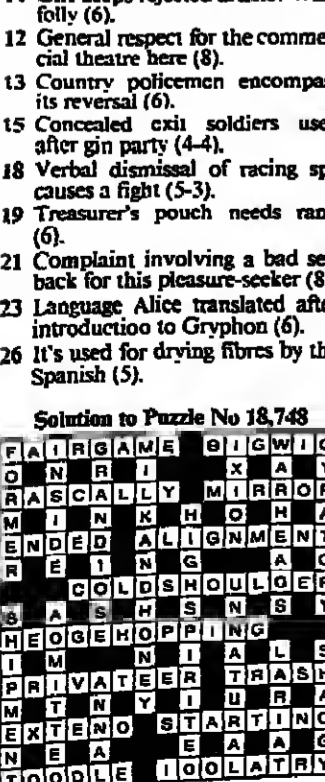
National motorways  
West Country 737  
Wales 738  
Midlands 739  
East Anglia 740  
North-west England 741  
North-east England 742  
Scotland 743  
Northern Ireland 744

AA Roadwatch is charged at 38p per minute (cheap rate) and 48p per minute at all other times.

DOWN  
1 Father, like Uriah at heart, a poor catcher (7).  
2 Arcan knight involved in crash (3,2).  
3 Rebel is a northern chief? It's possible (9).  
4 Information from teacher initially replacing companion in 6 (4).  
5 Upaid woman in house overlooking railway (8).  
6 American lawyer has tea in a Russian cottage (5).  
7 Work prolifically in art make a random selection (4,4).  
8 Soft bed for a sportsman (6).  
9 Health enquiry in some quarters can cause a confrontation (8).  
10 Holding more than one office makes us all prim (9).  
11 Provincial paper upholding Polish graduate? (8).  
12 Places, stay, to obtain spectacles (6).  
13 China head lost in garden area (7).  
14 Wood uprooted when room for research is required (5).  
15 Hear about king having no superfluous fat (5).  
16 Upsetting oote about love (4).

Concise Crossword, page 19

Solution to Puzzle No 18,748



Many places will start cloudy with some patchy rain but this will die out and it should become brighter. Rain will reach Northern Ireland, parts of the South-West and west Wales in the morning and continue eastwards, affecting all but the South-East and the Northern Isles by the day's end. Clearer weather will follow the rain into the far west later. Temperatures near normal. Outlook: generally unsettled

ABROAD  
MIDDAY: 14th-16th, 17th-18th, 19th-20th, 21st-22nd, 23rd-24th, 25th-26th, 27th-28th, 29th-30th, 31st-1st, 2nd-3rd, 4th-5th, 6th-7th, 8th-9th, 10th-11th, 12th-13th, 14th-15th, 16th-17th, 18th-19th, 20th-21st, 22nd-23rd, 24th-25th, 26th-27th, 28th-29th, 30th-31st, 1st-2nd, 3rd-4th, 4th-5th, 5th-6th, 6th-7th, 7th-8th, 8th-9th, 9th-10th, 10th-11th, 11th-12th, 12th-13th, 13th-14th, 14th-15th, 15th-16th, 16th-17th, 17th-18th, 18th-19th, 19th-20th, 20th-21st, 21st-22nd, 22nd-23rd, 23rd-24th, 24th-25th, 25th-26th, 26th-27th, 27th-28th, 28th-29th, 29th-30th, 30th-31st, 31st-1st, 1st-2nd, 2nd-3rd, 3rd-4th, 4th-5th, 5th-6th, 6th-7th, 7th-8th, 8th-9th, 9th-10th, 10th-11th, 11th-12th, 12th-13th, 13th-14th, 14th-15th, 15th-16th, 16th-17th, 17th-18th, 18th-19th, 19th-20th, 20th-21st, 21st-22nd, 22nd-23rd, 23rd-24th, 24th-25th, 25th-26th, 26th-27th, 27th-28th, 28th-29th, 29th-30th, 30th-31st, 31st-1st, 1st-2nd, 2nd-3rd, 3rd-4th, 4th-5th, 5th-6th, 6th-7th, 7th-8th, 8th-9th, 9th-10th, 10th-11th, 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TUESDAY OCTOBER 29 1991

- BUSINESS AND FINANCE 23-29
- LAW TIMES 31,33
- LAW REPORT 34
- SPORT 37-40

TODAY IN  
BUSINESS

SUPPORTIVE



Not all fund managers are like Paddy Linnaker, whose M&G group did subscribe to the British Aerospace cash call. Such a huge flop is likely to halt the stream of cash calls from industry to repair its balance sheets from the damage caused by the recession. Feature, Page 27. Stockmarket report, Page 26

SUPPORTED

Nazim Virani is being investigated by the Serious Fraud Office in connection with BCCI, and shares in his Control Securities company have been suspended. Yesterday he faced shareholders Page 25

RESTIVE

Small businesses will suffer from Europe's social charter, so government ministers have gone back on the attack after a period of relative calm in European relations Page 24

THREADBARE

Spending on menswear has fallen, with the South suffering worst. Even the hiring of suits is not so common - leaving Moss Bros struggling to make money Page 25

GOING BOEING

Japan denied there was political motivation behind going Boeing, buying 20 of the new American 777 aircraft instead of the new European Airbus. The Japanese are trying to ease trade tensions with America Page 25

POOR PICTURE

But the Japanese have designs on the American photographic market and are clouding the picture for Eastman Kodak, the world's leading film maker. More restructuring is under way Page 24

SELLING OUT

Roschaugh, the debt stricken property group, is well on target to make enough disposals to get its balance sheet back into shape Page 27

THE POUND

US dollar 1.7047 (-0.0065)  
German mark 2.9116 (+0.0026)  
Exchange index 90.3 (same)  
Bank of England official close (4pm)

STOCK MARKET

FT 30 share 1961.3 (+32.0)  
FT-SE 100 2558.5 (+43.8)  
New York Dow Jones 3029.52 (+24.60)  
Tokyo Nikkei Ave 24901.72 (-4.71)

INTEREST RATES

London: Bank Base: 10%  
3-month interbank 10%  
3-month eligible bills 10%  
US: Prime Rate 8%  
Federal Funds 5%  
3-month Treasury Bills 4.98-4.97%  
30-year bonds 100%  
New York: Bank Base: 10%  
3-month interbank 10%  
3-month eligible bills 10%  
US: Prime Rate 8%  
Federal Funds 5%  
3-month Treasury Bills 4.98-4.97%  
30-year bonds 100%

CURRENCIES

London: New York: £ \$1.7050  
£ DM 2.9121  
£ Sfr 2.5524  
£ FF 6.5593  
£ Yen 226.32  
£ Index 90.3  
ECU 10.70359  
SDR 10.782776  
ECU 421284  
SDR 1261390  
London foreign market close

GOLD

London Fixing: AM \$359.50 pm \$358.50  
close \$358.20-358.70 (£210.20-210.70)  
New York: Comex \$350.35-360.85

NORTH SEA OIL

Brent (Nov) \$21.85 bbl (£22.05)

RETAIL PRICES

RPI: 134.6 September (1987=100)  
Densities midday trading price

Underwriters left with bulk of issue

# Bae call flops to less than 10% take-up

By MICHAEL CLARK, STOCK MARKET CORRESPONDENT

BRITISH Aerospace is expected to confirm today that less than 10 per cent of its controversial £432 million rights issue has been taken up by investors.

Despite a last-minute bout of lobbying among the institutions, it is now certain that the bulk of the rights issue will be left with the underwriters. The British Aerospace share price spent another volatile session clawing back an early fall to finish 6p higher at 369p. But the price still stands 11p below the 380p rights issue terms. In

September, when the terms were first announced, the price traded above 500p.

However, it is likely that the bulk of the shares will be absorbed and not left overhanging the market. Sources close to the company are confident that around 70 per cent of the shares not applied for will be taken up by existing shareholders who are also acting as underwriters to the issue. They are believed to have given some sort of assurance to the newly appointed chairman, Sir Graham Day, that they will honour their underwriting

commitments rather than apply as existing shareholders for new shares.

The company's financial advisers were last night claiming that by this method they would in a roundabout way ensure the success of the issue and prevent any further deterioration in the BAE share price. They are now hopeful that the price will rally to the issue price by Friday.

A revival in the BAE share price will be warmly greeted by the rest of the City, which has been worried by the prospect of unwanted stock slopping around the market-place. But the failure of the issue to get off the ground is certain to deter other companies from asking shareholders for extra funds before the government's sale of part of its remaining BT stake.

There has been a gradual hardening of attitudes by City fund managers in recent weeks to companies asking for extra cash. This was reflected in Hillsdown's £280 million rights issue - half of which was left with the underwriters last week. A question mark also hangs over the £350 million issue from Asda, the debt-laden supermarket.

Institutions are now making it clear to British industry that they do not mind investing extra funds in companies for the future, but they are refusing to bail them out by paying off borrowings.

Despite the failure of the BAE rights issue, the company will be able to reduce high levels of debt. There is scepticism in the City, however, that the funds raised are enough. The proceeds will not wipe out all the company's borrowings. Rover, its car division, continues to trade at a loss while the defence side is still feeling the effects of reduced government spending.

Fund managers are convinced that Sir Graham Day will eventually be forced to call for further funds.

Cold comfort, page 27

## Shares surge on recovery claims

By OUR STOCK MARKET CORRESPONDENT

THE first signs that the economic revival is gathering pace saw share prices score sizeable gains across the board.

Indications that today's CBI industrial trends survey will provide the first hard evidence that the economy is pulling out of recession enabled the equity market to wipe out all the losses of the past two weeks - in just 24 hours.

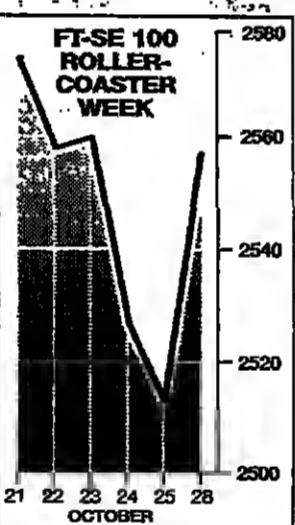
The new trading account got off to a blistering start with investors cheered by claims that the CBI will today confirm what the government has claimed for sometime - that the economy is on the mend. The FT-SE 100 index closed up 43.8, at 2,558.5.

The market has been depressed recently by the government's poor showing in the opinion polls and the absence of any hard news of economic revival. The poor take-up, expected to be less than 10 per cent, of BAE's £432 million rights issue has added to the gloom.

Despite the change of sentiment in the stock market, trading conditions remained thin. By the close of business

only 412 million shares had changed hands. One leading broker commented: "It is doubtful that the market can maintain this sort of pace for long. The autumn statement is expected next week and there are several by-elections in the offing. Conditions remain volatile".

Market report, page 26



## Date set for market merger

By JONATHAN PRYNN

THE merger of LIFFE, the City's financial futures exchange, and LTOM, the traded options market, is to go ahead next January 31.

The merger has been postponed several times because of technical hitches and policy disagreements, but those have been resolved.

The merged market, which will be in new premises at Cannon Bridge, will be known as the London International Financial Futures and Options Exchange. The abbreviated title will be LIFFE/LTOM.

LIFFE will make the move to Cannon Bridge first, and is scheduled to start trading there on December 16. LTOM will join it at the end of January and trading will recommence on February 3. The

merger date was announced at the launch of a prospectus for the issue of 400 D shares in LIFFE (Holdings) at £15,000, which are being offered to LTOM members that are not already also members of LIFFE.

The D shareholders will be entitled to elect six additional directors to the 18-strong LIFFE board.

LIFFE, which is providing the bulk of the £30.7 million needed to fund the move, will continue to have a substantial majority on the board and will also supply the chairman and chief executive. Geoffrey Chamberlain, chairman of LTOM, will become "a senior member of staff" of the merged market and Tony de Guingand, LTOM's managing director, is expected to stand

for election to one of the six new board seats. LIFFE is by far the bigger of the two markets, with about five times as much daily business as LTOM in terms of numbers of transactions.

The market will continue the traditional open-outcry, floor-based trading system, although a number of members want a screen-based market.

Michael Jenkins, chief executive of LIFFE and chief executive designate of the merged market, said a move to a screen-based system at short notice would not have been feasible.

The merger is expected to bring cost savings of up to £200 million over the next four years, and will strengthen London's position as a leading financial derivatives market.

## EC champions depositors' cause

By NEIL BENNETT  
BANKING CORRESPONDENT

A CRUMB of hope is emerging from the wreckage of the collapsed Bank of Credit and Commerce International. The closure of the bank has accelerated plans for new laws to protect bank depositors in Europe and ensure they are all entitled to a minimum level of compensation in the event of a bank failure.

The European Commission's financial services directorate is working on advanced proposals for a new deposit protection directive, which it hopes to present to ministers early next year. The directive's main proposal is that the home country of each bank will be forced to compensate its customers in all other EC countries if the bank fails. If

such a law had existed when BCCI, registered in Luxembourg, was closed down, the Luxembourg government would have been forced to pay compensation to depositors in Europe. The EC hopes the new regime, and the threat of large claims, will encourage member states to toughen bank regulation.

The directive will also impose a minimum compensation level of 15,000 ecus (£10,600) on all 12 member states. This means that any saver in the EC will be able to claim 80 per cent of his savings, up to a 15,000-ecu limit, from the regulators of a failed bank.

The figure was fixed after a heated debate among the 12 members, which run varying compensation schemes. Ger-



Sir Nicholas: supportive many offers depositors almost complete protection, while Portugal and Greece have no established schemes. The Bank of England's deposit protection board offers a far



Smile of success: Tony Edwards says the order is a breakthrough in America

## Lucas wins aero-engine order worth \$3 billion

By MARTIN WALLER

LUCAS Industries, the automotive components and aerospace group, has won an order worth about \$3 billion to supply aero-engine parts to Allison Gas Turbine division of America's General Motors.

The company says the order is probably the biggest single aircraft engine export deal ever signed by the British aerospace industry, and will help to safeguard 2,000 jobs in Britain.

Lucas has been designated Allison's preferred supplier for the GMA2100 and GMA3000 engine range. "The GMA series engines have been well received by the marketplace," said Tony Edwards, managing director of Lucas Aerospace. "It is a programme that should follow Allison's tradition of high-volume production."

Lucas won the contract against opposition from two other British aerospace groups, Dowdy and Smiths Industries, as well as Snecma-Elecma of France, Allied Signal/Bendix and another American company, Woodward Governor.

GM Allison has been selected by five aircraft manufacturers to supply engines for new aircraft. That represents, in the company's view, potential orders of more than 5,000 engines over the next 20 years. Each engine provides Lucas with sales of worth between \$70,000 and \$110,000.

The American partner, however, believes the GMA series could have a market potential greater than its T56/501 engines, of which

almost 15,000 were sold. The total value to the British group, therefore, could be as much as \$1.5 billion.

Lucas hopes that the market in spares, and the engines' further sales potential, could push the value to twice that figure. However, the GMA series will not reach full production and start to earn substantial profits for several years, the company says.

"This is the first major breakthrough (for Lucas) into North America, which is the world's largest market for aerospace products," Mr Edwards said. About two thirds of the order will be direct exports from Britain, from two factories in Birmingham, and plans Coventry, Witney, near Oxford, and Huyton, Merseyside.

The GMA engine series is used in the V-22 Osprey tiltrotor battlefield transport currently under prototype production for the US Marines. There are also potential applications in existing military transport aircraft and in the business jet market.

## Miners take step towards buyout of Coal

By PHILIP BASSETT  
INDUSTRIAL EDITOR

LEADERS of the Union of Democratic Mineworkers, the breakaway miners' union, took a determined step yesterday towards mounting an employee buyout of a privatised British Coal by appointing a leading merchant bank to explore the options and the backers for such a move.

Though any move by the UDM - formed by a group of largely right-wing miners breaking away from the National Union of Mineworkers, led by president Arthur Scargill during the 1984-5 coal strike - is still a good distance away, the appointment by the UDM of Lloyds Merchant Bank is the furthest that any trade union in Britain has gone towards co-ordinated industrial ownership.

The UDM previously considered a buyout of the PowerGen company, created after the privatisation of the electricity industry, in collaboration with Lord Hanson, but the idea was abandoned. UDM leaders have for some time made clear their intent to mount, if possible, a move on a privatised British Coal.

The government will make no decision on the privatisation of BC until after the forthcoming general election, though ministers remain keen to move the industry - which recently moved into profit after years of heavy losses - into the private sector.

Lloyds will research the move in the run-up to the election.

The bank will present the UDM with options for an employee buyout, and the UDM said yesterday that it would then consider what move to take in conjunction with financial institutions and possible commercial partners.

The UDM rejects the idea of a trade sale to companies such as Hanson, RTZ, Peabody Minig or BP as a "disaster", and believes there is no likelihood of a Conservative government achieving a successful privatisation by means of a public flotation.

Roy Lusk, UDM president, said yesterday: "Once we have examined the options we may decide, together with Lloyds Merchant Bank and other strong backers, to organise a full or partial buyout to the benefit of our members and other employees in the industry."

Comment, page 27

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# COMMENT

## Liffe battles for the future

Delays in the merger of London's successful financial futures exchange with the Stock Exchange's less dynamic traded options market may seem little more than tedious. But they are both important and damaging, however obscure and technical the issues seem. London is fighting hard to secure a premier place in a series of international financial markets, either as a stopping point in a global 24-hour trading day or among continental countries that see London as the centre to beat in a single European market.

For Liffe, the rivals are in Paris and Frankfurt as well as Chicago, and the more it can do to extend its operations to offer a comprehensive hedging shop the better. Even the two famously competitive Chicago exchanges have found it politic to adopt a common front to challenges from the rest of the world.

The publication of a share issue prospectus by Liffe to take in LTO members may not guarantee that the new combined market opens on its new schedule, due to be completed at the end of January. But it should mark the end of many technical difficulties and disputes that delayed the process. Since the merger had to be made through a share issue, these had to be resolved before a legal prospectus could be issued.

The merger, like that of the Futures and Options Exchange and the Baltic futures market in commodities, owes little to romance. The new organisation has eschewed the unimpressive working title of London Derivatives Exchange for an equally unimpressive combination of the two constituents which the promoters hope will end up being pronounced "Liffe" rather than the natural acronym "Liffeo".

The staged move of the combined trading floor to an anonymous office block straddled over a main City thoroughfare will also exacerbate the City's tendency to leave its most famous buildings empty. Liffe will vacate the ground floor of the Royal Exchange, which lies between the Bank of England and the Mansion House, while LTO's move will finally leave the Stock Exchange trading floor empty. Few international dealers will care about the facade if the new market can build on its strengths. Liffe has had its share of disappointments but has avoided the scandals and disasters to which derivatives exchanges are prone and has proved one of the most dynamic markets in London. The merger should give it another boost.

## Coal dreams

Ever since the Union of Democratic Mineworkers was born at the start of the great strike, the sale of Britain's coal industry to its employees has looked possible as well as desirable. The UDM has now taken concrete steps to prepare such a buyout if the government's planned privatisation of coal goes ahead. Its first flirtation with the City over the sale of PowerGen earned vital contacts and some respect that should now come in handy. The difficulties remain formidable. A long series of questions need to be resolved before any but the largest of organisations could attempt to raise £500 million plus to fund such a deal.

The government has been advised that privatisation of Europe's most efficient and economically viable coal industry might depend on British Coal's output falling from 90 million to as little as 40 million tonnes. This might leave only 10,000 of the existing workforce of about 50,000. The German government, meanwhile, is thinking of nothing more drastic than slimming the number of its coal miners from 130,000 to 90,000 by the year 2005 to produce a hopelessly uneconomic output of 50 million tonnes. What are the implications of this for intra-European trade and for EC coal imports?

Back in Britain, the privatised electricity industry will shortly lose its contractual obligations to buy from British Coal. The fragmented generating industry may be in no mood to make the long-term contracts with British Coal from 1993 that would be needed to support any prospectus. Any attempt to corral the companies into a common position might well fall foul of the electricity regulator, or compromise him.

British Coal has strength and a solid bargaining position, but the brinkmanship of contract-making will surely make Sir Alastair Morton's travails look minor. Only a big organisation like Hanson, which was thwarted over PowerGen, may be able to take such risks.

# Cold comfort for the City as cash fountain freezes over

The City is digging in for winter. The days of spring and summer, when investors were eager to subscribe massive rights issues to repair companies' balance sheets, are a distant memory. Corporate financiers are now prepared for a frosty reception when they ask the institutions to part with their cash.

Today Kleinwort Benson, the merchant bank, is expected to announce the future of British Aerospace's £432 million rights issue. It is thought that less than 10 per cent of the issue has been taken up by shareholders, leaving the overwhelming bulk of the shares with sub-underwriters.

The failure of the rights issue, only two weeks after Hillsdown's ill-fated £281 million cash call, has had a profound effect on the atmosphere in the City. Merchant banks are now telling their corporate clients to defer rights issues until next year unless they have an extremely good purpose for the funds.

Earlier this year, by contrast, they were telephoning them telling them to tap the market as soon as possible. "Two months ago you could get away with murder," one senior merchant banker said. Another said: "Rights issues are obviously going to be difficult, but they are possible." The number of issues has already slowed noticeably. Between April and July this year, companies raised more than £1.1 billion a month. The monthly total will be lucky to exceed more than a third of that between now and the end of the year.

The change in sentiment promises to put a gloomy end to a good year for equity finance. So far this year, the City has raised £8.6 billion from 125 issues. This is more than double the £4.1 billion raised in the whole of 1990, while 1989 saw issues of only £3 billion.

The sharp rise in equity markets in the early part of the year gave companies a badly needed opportunity to raise funds. Much of the rights issue money was used to reduce borrowings and cut interest bills, which had been crippling companies' cash flows. This in turn gave successful fundraisers the opportunity to expand out of the recession as interest rates fell.

Institutional investors too were happy to subscribe to a long succession of issues. Many had started the year with record levels of cash. Liquidity overall was estimated to be more than 8 per cent. Fund managers were unwilling to plough this cash into the market and drive share prices even higher. Instead, they were content to invest in large helpings of new equity, in the form of rights issues.

This confident mood has changed abruptly. One reason is the fall in the market from its high point in September. Philip Wolstencroft, an equity market strategist at Smith New Court, believes that rights issue activity is tied closely to the level of the stock market indices. "The market has come off and this has damaged sentiment. Fund managers are still reasonably comfortable about putting money into the market but far less than they were at the start of the year," he said.

Liquidity has fallen steadily and now stands at around 5 per cent.



Cooling off: Paddy Linaker, M&G's managing director, is more wary of underwriting issues

Fund managers are also bracing themselves for a £5 billion sale from the government's remaining BT holdings and have become more discerning in their equity investments.

The key figures in the change of sentiment however have been the City's sub-underwriters. The sub-underwriter's role is to agree to subscribe for shares in a rights issue if the existing shareholders refuse them. In effect they insure the success of the fund-raising exercise. In return for this they receive a generous fee, normally around 1.25 per cent of the sum they underwrite. On a successful £500 million issue the institutions earn £6.25 million for doing nothing.

Throughout the spring and summer, sub-underwriting offered easy profits, as the equity markets rose and rights issues almost invariably succeeded. The failure of Hillsdown and BAE however has changed that. Investment managers are now stuck with large, unwanted stakes in two companies and are treating new issues far more cautiously.

M&G, the unit trust manager, is one institution that underwrote the BAE issue and is likely to be forced to subscribe to a large stake in the group at a loss. Paddy Linaker, the managing director, said his company had become more cautious in underwriting rights issues of companies where it is not a shareholder. "The general climate has gone a bit cool," he said.

"Underwriting has been very profitable in the last few months, but of course you can lose all that in one or two bad issues. We will only underwrite things where we won't mind owning the shares."

Most fund managers fix a limit on their sub-underwriting exposure, which is set and periodically reviewed by the board. These limits may be reduced at some companies in view of the climate.

Corporate financiers are realistic about the difficulties but believe a strong company with a good record for using funds will still be received well. Gerry Grimstone, of Schroders, believes the secret of a successful issue lies in the preparation. "A rights issue is like any product. If it is good quality at the right price people will receive it well."

A good quality rights issue, he says, has several constituents. The company should be able to show it has a strong track record and has fulfilled its promises in previous fundraising exercises. Preferably, a company should show it is spending the money on a specific acquisition or development, rather than just repaying debt. Finally, Mr Grimstone said that he believes institutions are fed up with news of issues being leaked in advance to the press and depressing share prices.

The Gulf that now divides good rights issues from bad ones can be seen in two issues last week. On Tuesday, De La Rue, the bank note printing group, asked shareholders for £160 million. The request was received with enthusiasm. De La Rue has a strong recovery record, and is spending £95 million of the money on the acquisition of Inter Innovation, a Swedish competitor.

The new shares were priced at 350p, almost £1 below the prevailing price and a sign of the company's caution. But the market approved of the acquisition and the shares fell only 2p on the announcement.

The £80 million cash call at Atwoods, the waste management group, was treated with less respect. The issue was designed to reduce the company's debt. Even though Laidlaw, the Canadian transport group, had agreed to subscribe for or underwrite more than half of the issue, Atwoods' shares plunged from 175p to 129p, close to the rights price of 100p a share.

Schroders, like other merchant banks, is well aware of the damage a badly received issue can do to a company and its advisers. "You live with a memory of a failed rights issue for longer than you bask in the glory of a successful one," Mr Grimstone said. The turmoil surrounding the BAE issue has not improved Kleinwort Benson's reputation.

The result of this new pessimism is that many companies will end the year with higher borrowings than they would have wished, and that some acquisitions are likely to go uncompleted. Company chiefs and their City advisers can only hope that this winter of discontent will turn into a glorious spring next year.

NEIL BENNETT

# Rosehaugh battles to cut debt

SHARES in Rosehaugh, the debt-laden property group, rose 11p to 21p as the company confirmed that its disposal programme has raised £90 million since its June year-end.

The disposals show that the company, best known for its joint development of the Broadgate office complex next to London's Liverpool Street station, continues to make progress towards its target of reducing net borrowings to £200 million by next June.

In the present property market, however, such progress is costly: the company is having to accept offers at discounts to book value. Quantifying the discounts is complicated by the fact that the company has yet to report its results for the year to end-June.

Analysts expect more writedowns and provisions when the results are published, probably late next month. Last year, provisions of £137 million resulted in Rosehaugh reporting a pre-tax loss of £165 million. Although the group's net debt will have fallen from £350 million in June 1990, further substantial losses are inevitable.

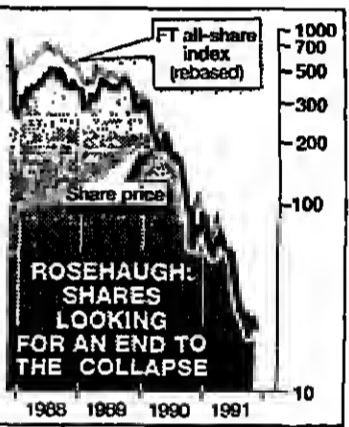
This month, Stanhope, Rosehaugh's development partner at Broadgate and the company with which it is in merger talks, reported a £77 million loss for the year. Kleinwort Benson Securities believes Rosehaugh's losses could top £110 million.

Rosehaugh's most recent sale involves Rosehaugh Copartnership, a subsidiary developing upmarket flats in London. Copartnership has been acquired by Ravensale, a private company. Ravensale will repay about £24 million owed to the parent company by its subsidiary. But Rosehaugh could receive substantial further payments when Copartnership's developments, all of them complete, are sold.

Last week, Rosehaugh sold its 40.3 per cent stake in Roschaugh Greycoat Estates Holdings to British Land for a mixture of cash and British Land shares and bonds worth about £45 million. That represents a huge discount to a 1990 book value of £70 million, but less of a giveaway at 1991 prices.

Taking the Copartnership sale into account, together with £20 million of assorted property sales, Rosehaugh has raised £90 million and reduced its debt by some £70 million. Progress is being made but the question is, how much will be left for ordinary shareholders when the debt-reducing exercise is completed? Rosehaugh's languishing share price provides the answer.

MATTHEW BOND



## THE TIMES CITY DIARY

### Howe about some shares?

ALTHOUGH it is always an honour to be asked to sit on the board of a great British company such as Glaxo, it is not always necessarily a pleasure - particularly if you are Sir Geoffrey Howe and it is your first annual meeting. Sir Geoffrey, who joined the Glaxo board as a non-executive director in January, faced shareholders for the first time at the Grosvenor House, London, on Friday. He might have been forgiven for thinking he was back in the other house. When it came to the re-election of directors, several hands were raised against the former deputy prime minister. One cynic in the audience suggested that he might care to buy a few shares in the company. Sir Geoffrey, who has resisted the temptation so far, shuffled his feet. Question time was never like this.

### Invisible PR

THE press officer for British Invisibles, the body that promotes British trade, has disappeared...well, sort of. Dominic Taylor, who had been promoting the work of the British Invisible Export Council, as it used to be known, left the post a month ago and has yet to be replaced - prompting wags to suggest that the organisation is living up to its name. Even more embarrassingly, the gap coincided with the announcement of the European Economic Area, the most important trade story in years. Perhaps Sir Hugh Bidwell, executive chairman of British Invisibles and former Lord

Mayor of London, should put himself forward for the role.

### Card dealing

A CRAZE for Panini football cards - the type usually found in school playgrounds - has broken out among City dealers. The cards, which depict top footballers in action, are doing a roaring trade in dealing rooms, and stocks in the City are sold out. Mike Conway, an interest rate swaps broker at CMTS Derivatives, says: "When the market is quiet, the cards are the currency to deal in." The burning issue in the financial markets? "Lineker's in demand, but no one wants Gazza anymore." Move over, Fannie Mae.

### Spelling it out

BARCLAYS' "the bank you're better off talking to" - or not, if you happen to be Sir Gordon Borrie - circulates a financial newsletter to keep its staff in touch with daily events. However, it seems that the spellcheck facility on its

computer system has its own ideas about the banking world. In a recent report on the financial difficulties of NatWest Bancorp, NatWest's American subsidiary, the name emerged as "NatWest Bankrupt".

### Taking on water

AS IF to prove that it is not all bad news from Nomura Research Institute, the fast-growing analysts' team there has a new recruit. Kevin Lapwood joins next week from Charterhouse Tilney and will broaden the utilities team to take in water stocks. Stephen Clapham has covered the power industry since moving to Nomura, before privatisation of the power companies, and will now also return to research his former area, the transport sector, which he had to relinquish when taking on the electricity industry. "It was too much to cover water and electricity on my own," he moans.

### All at sea

TRADE may be thin, markets are up and down, but the City's legions of shipbrokers are as lively as ever. A hardy group gathered at the Kings Stores public house near the Baltic Exchange last week to test knowledge of current affairs. When it came to the section on shipping, an embarrassed silence fell on the room. The average score was three out of ten. The lapse did not last long, however, and one member of the crew fell down the stairs before the night was out. "The alcohol cushioned the blow," he says with a wink.

JON ASHWORTH

## BUSINESS LETTERS

### Building on success in Kuwait

From Mr Tim Sainsbury MP, Minister for Trade

Sir, Eighty British companies have now won contracts worth more than £470 million for work in Kuwait. There is good reason to believe that the UK's share of rehabilitation and reconstruction business is second only to that of the USA, and that it will be much higher than our 6.5 per cent share of Kuwaiti imports before the invasion. So while I am far from complacent about their achievements so far, it is wrong to say that British firms are losing out, as the headline to the story (October 22) said.

While the principal credit for this achievement must go to the companies, which have competed for the business, in many cases Government support has had a key part to play in identifying opportunities and opening doors. From the start, the Kuwait initiative was a joint effort of Government and industry working together. Indeed the initiative has so impressed several of the companies involved that they have asked that the approach be applied to other markets.

There is therefore no air of disappointment over my visit to Kuwait, but rather a sense that Britain must do all it can to build on the position we have secured so far. That is what I - and the businessmen accompanying me - shall be seeking to do.

Yours faithfully,  
TIM SAINSBURY,  
Minister for Trade,  
Department of Trade and Industry,  
Ashdown House,  
123 Victoria Street,  
SW1.

### Export policy

From M.J. van Brugen

Sir, In recent debate on the export bill which paves the way for part of ECGD to be taken out of the public sector, Tim Renton is reported (October 23) to have said that under privatisation "there will be no sharp reduction in our facilities for exporters".

Can we take this to mean that the reduction will instead be gradual?

If so, hard pressed exporters will be entitled to conclude that the substantial export opportunities already denied to them because ECGD cover is not available will be further reduced when privatisation takes place.

This is hardly a policy calculated to redress the disappointing export performance highlighted by you on the same day.

Yours faithfully,  
M.J. VAN BRUGEN,  
8 Badgers Walk,  
Shiplake,  
Oxon.

you are referring to the mundane business corporations of Maxwell. Please spare us such heart-breaking headlines as "Deal of disagreement on MCC sale".

Yours faithfully  
K.L. Samant  
16 Charles II Street, SW1

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233	49 U.S. Census	36	36	—	5.7	4.4
48	40 Textile Inst.	35	35	—	3.4	8.1
233	41 U.S. Census	35	35	—	—	—
171	42 Textile Inst.	35	35	—	—	—
171	43 U.S. Census	35	35	—	—	—
171	44 Textile Inst.	35	35	—	—	—
171	45 U.S. Census	35	35	—	—	—
171	46 Textile Inst.	35	35	—	—	—
171	47 U.S. Census	35	35	—	—	—
171	48 Textile Inst.	35	35	—	—	—
171	49 U.S. Census	35	35	—	—	—
171	50 Textile Inst.	35	35	—	—	—
171	51 U.S. Census	35	35	—	—	—
171	52 Textile Inst.	35	35	—	—	—
171	53 U.S. Census	35	35	—	—	—
171	54 Textile Inst.	35	35	—	—	—
171	55 U.S. Census	35	35	—	—	—
171	56 Textile Inst.	35	35	—	—	—
171	57 U.S. Census	35	35	—	—	—
171	58 Textile Inst.	35	35	—	—	—
171	59 U.S. Census	35	35	—	—	—
171	60 Textile Inst.	35	35	—	—	—
171	61 U.S. Census	35	35	—	—	—
171	62 Textile Inst.	35	35	—	—	—
171	63 U.S. Census	35	35	—	—	—
171	64 Textile Inst.	35	35	—	—	—
171	65 U.S. Census	35	35	—	—	—
171	66 Textile Inst.	35	35	—	—	—
171	67 U.S. Census	35	35	—	—	—
171	68 Textile Inst.	35	35	—	—	—
171	69 U.S. Census	35	35	—	—	—
171	70 Textile Inst.	35	35	—	—	—
171	71 U.S. Census	35	35	—	—	—
171	72 Textile Inst.	35	35	—	—	—
171	73 U.S. Census	35	35	—	—	—
171	74 Textile Inst.	35	35	—	—	—
171	75 U.S. Census	35	35	—	—	—
171	76 Textile Inst.	35	35	—	—	—
171	77 U.S. Census	35	35	—	—	—
171	78 Textile Inst.	35	35	—	—	—
171	79 U.S. Census	35	35	—	—	—
171	80 Textile Inst.	35	35	—	—	—
171	81 U.S. Census	35	35	—	—	—
171	82 Textile Inst.	35	35	—	—	—
171	83 U.S. Census	35	35	—	—	—
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171	85 U.S. Census	35	35	—	—	—
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171	91 U.S. Census	35	35	—	—	—
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171	93 U.S. Census	35	35	—	—	—
171	94 Textile Inst.	35	35	—	—	—
171	95 U.S. Census	35	35	—	—	—
171	96 Textile Inst.	35	35	—	—	—
171	97 U.S. Census	35	35	—	—	—
171	98 Textile Inst.	35	35	—	—	—
171	99 U.S. Census	35	35	—	—	—
171	100 Textile Inst.	35	35	—	—	—

49	17th	Dryden	176	167	1	12.4	1.3
30	88	Foster (Jones)	21	57	•	1.7	1.0
176	133	Booth	115	95	•	11.5	2.0
11	54	Booth	102	86	•	10.0	1.5
11	56	Jones (S)	117	137	•	11.3	2.3
300	228	Lampert	377	399	•	10.0	4.2
307	167	Lampert	370	310	•	13.5	0.5
17	17	Lytle (S)	47	52	•	6.1	0.7
163	91	Parham N	81	46	•	5.9	1.5
33	33	Seely	22	22	•	4.8	7.4
33	15	SEI	22	88	•	•	•
30	36	Sherk	•	•	•	6.9	•
30	340	Stewart	•	•	•	1.3	•
202	162	Townsend	267	266	•	15.3	4.8
74	5	West Trust	•	•	•	1.3	0.1
202	162	Townsend	267	266	•	15.3	4.8
74	5	West Trust	•	•	•	1.3	0.1

TOBACCOS									
172	550	BAY	206	632	+2	43.7	6.9		
11%	635	Restatement "B"	11%	11%	..	24.7	2.2		

TRANSPORT							
404	187	Assoc Br Ports	372	377	+0	10.1	2.7
478	328	BAA	442	448	+4	17.3	3.0
200	129	Br Airways	183	188	+2	11.8	1.8
237	138	Caribbean (B)	256	210	-46	-	5.1
250	44	Deutsche L	53	50	-1	-	-
264	33	European (U)	427	435	+4	-	-
38	176	European Warrants	139	15	-11	-	-
121	75	Fisher (James)	15	82	-	7.3	8.3

117	185	Waye	174	175	—	6.9	1.0
133	26	Jacobs (Jr)	40	42	—	1.3	1.2
137	18	Lap	80	84	—	—	—
22	15	Manchester Ship	10	17	—	6.0	0.4
228	108	Murray Lanes	207	211	+2	7.1	3.4
231	18	NEC	21	20	-1	1.0	0.4
353	287	Group Group	230	238	+2	19.0	2.0
48	4	P Green Wilson	38	40	—	3.7	—
49	36	OS O'Day	509	513	+4	13.0	8.6
182	87	P W O 5.5%	185	112	-73	7.3	0.7
301	258	Powell Duffryn	298	303	+5	36.1	10.8

144	65	TNT	50	50	0	19.5	2.3
145	66	TNT & Bittan	51	52	1	19.5	2.3
146	67	TNT	52	53	1	19.4	2.3
147	68	Tombard Sea	265	268	3	12.7	4.2
148	69	Tombard Sea	265	268	3	12.7	4.2
149	70	Tombard Sea	265	268	3	12.7	4.2

WATER

497	297	Angier Water	305	360	+1	25.3	8.5
498	298	Asheboro Water	303	360	+1	25.3	8.5
499	299	Beaufort Water	303	360	+1	25.3	8.5
500	300	Bethesda Water	309	360	+1	25.3	8.5
501	301	Bethesda Water	309	360	+1	25.3	8.5
502	302	Bethesda Water	309	360	+1	25.3	8.5
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# LAW TIMES

TUESDAY OCTOBER 29 1991

As Liberty today publishes "A People's Charter", Bernard Crick calls for a British bill of rights

## A public right to challenge secrecy

Whether a constitutional democracy has a written or unwritten constitution, constitutional law cannot be separated from politics as it expresses the rules by which the politicians have to or wish to practice politics.

I see two reasons why it is inevitable that a written constitution will gradually emerge in Britain: because the old conventions are either no longer understood or are flouted for temporary political advantage, and, of course, because of the consequences of signing the Treaty of Rome and the European Act.

The arguments for constitutional reform, as put forward by the pressure group Charter 88 since 1988 and the Liberal party since 1884, begin to come down to earth. We now have two British bills of rights, fully drafted, fully argued.

Are they fantasies or prophecies? Last year "A British Bill of Rights" was published by the Institute for Public Policy Research (IPPR), and today Liberty, the former National Council for Civil Liberties, publishes "A People's Charter" [available from Liberty, Tabard Street, London SE1 4LA, price £8.80, including postage]. Both deserve study.

Constitutional issues are on the political agenda. Two years ago, the motion by the MP Richard Shepherd to incorporate the European Convention on Human Rights was only narrowly defeated, admittedly in a thin House of Commons.

The Labour party reacted to the pressure from Charter 88 with a policy statement, "The Charter of Rights", in January. Roy Hattersley, the deputy leader, said it was "the most radical change in the British constitution proposed by any political party this century". No comment. Labour's "Charter of Rights" argues against a bill of rights. Specific legislation to protect rights was better than "the traditional European approach... based on statements of general principle... such an approach is not appropriate to Britain". The word "appropriate" is a comforting conservative one.

The specific proposals were good, if not very specific, but it seemed gross *chutzpah* to say "... the proposals which we now make will, when put into practice, move Britain ahead of her European partners. We are determined to promote equal rights throughout Europe. The next

Labour government will urge other European countries to adopt a more specific and detailed approach to the protection and implementation of rights."

This was also a contradiction. Mr Hattersley pledged in Paisley on November 13 that Labour would "establish an elected Scottish Parliament... firmly based on the [Scottish Constitutional] Convention", and a demand for a bill of rights was a key element of this.

Mr Hattersley will soon favour a bill of rights, but not an entrenched one surrendering "the sovereignty of Parliament" to lawyers. I go along with Enoch Powell, who gives a precise and terrible date to when we lost the sovereignty of Parliament by signing the Treaty of Rome. I differ only in that I believe the consequences of that loss to be benign and likely to lead to a richer Britishness.

I see the concept as historically having served a specific purpose for a specific period. Now we are all interdependent. Power is dispersed, but the rules of dispersal need to be set up, watched and revised. Federalism is protective of the units, a contradiction of central sovereign power. Something like this will come.

The argument should now be about the what and the how, not about turning back the clock. Liberty's proposal quotes Lord Bridge's dissenting judgment on the *Spycatcher* case. He said he had not previously seen the need to incorporate the European Convention into British law, but his confidence in the common law to protect the freedoms of speech as set out in Article 10 of the Convention had been undermined by their Lordships' decision.

Lord Bridge said: "The present attempt to insulate the public in this country from information that is freely available elsewhere is a significant step down a very dangerous road... If the government are determined to fight and maintain the ban to the end, they will face inevitable condemnation and humiliation by the European Court of Human Rights."

The specific proposals were good, if not very specific, but it seemed gross *chutzpah* to say "... the proposals which we now make will, when put into practice, move Britain ahead of her European partners. We are determined to promote equal rights throughout Europe. The next



Spycatcher author Peter Wright: a bill of rights might have saved him from prosecution

of Rights in Strasbourg."

The claim of the common law to protect civil liberties is refuted by Britain having had many more cases brought and found against its government than any of its partners, and, as is well known, we are the only country in the European Community that has no bill of rights nor has incorporated the European convention.

Neither the IPPR nor Liberty, however, favours simply an incorporation of the convention into British law. There are many gaps in it. It was a child of its time.

Any declaration must be. Even the United States constitution can be changed. The European Convention looked back at preventing the abuses, even in the name of the law, of the Nazi era. Prison conditions, sexual equality, refu-

gees, child abuse and unfair discrimination against the disabled are all "gaps" or great subsequent concerns. So the convention is the starting point, but the proposal draws on the American declaration and bills of rights elsewhere, notably in Canada.

In the past, members of Liberty have resisted anything that would increase the power of the judges and weaken the power of MPs. They came near to tying their draftsman's hands into making it a purely declaratory act, which could be overridden by any

subsequent act of Parliament.

It is difficult to find a way of entrenching a bill of rights without a written and justifiable constitution. Ironically, the "Declaratory Act" of 1766 declared Parliament's absolute sovereignty but only because at that moment Parliament had had to climb down and repeal the unenforceable Stamp Act.

Now, however, Liberty puts forward a complicated but coherent scheme for a human rights scrutiny committee to be elected from Parliament but by proportional representation in proportion to party votes so as not to give a government majority. This could allow by a two-thirds vote the overturning of a constitutional court's decision or force the government to put a "health warning" of unconstitutionality on a new act, inviting public challenge and the courts' attention.

I am guilty as an editor of having commissioned John Griffith's notorious *The Politics of the Judiciary*. However, I have a radically different view of what would happen if there was a bill of rights, indeed constitutional reform.

Nothing could prevent the present generation of judges from being as they are, but the effects on legal education would be prodigious. It would become, as in the great American law schools, which teach, moot and argue constitutional cases constantly, something intellectually interesting.

Certainly, methods of judicial appointment need to be reformed alongside any bill of rights. But they do anyway.

## The Euro guide on sexual harassment

THE European Parliament approved a code of practice last week to prohibit sexual harassment in the workplace. The United States Senate investigation of allegations that Judge Clarence Thomas harassed a female employee has also focused attention on the subject. Employers and employees should note that Britain's legal system is developing its own jurisprudence in this area, largely based on American federal law.

This harassment was defined by the American Equal Employment Opportunity Commission as consisting of unwelcome sexual advances, requests for sexual favours and other verbal or physical sexual conduct where the response is used as the basis for employment decision; for example, whom to promote, or where such conduct creates an intimidating, hostile or offensive environment. The European code is in similar terms. Courts in America ridiculed early claims that such behaviour was unlawful sex discrimination contrary to Title VII of the Civil Rights Act 1964. Judges feared that if the law intervened, "an invitation to dinner could become an invitation to a federal lawsuit".

In 1975, the district court said that if the claim succeeded, there could be legal action every time any employee made "amorous or sexually orientated advances" towards another. The court observed: "The only sure way an employer could avoid such charges would be to have employees who were asexual."

By 1981, the American federal courts had recognised that misery can be caused to female employees by such conduct. A district court was willing to issue an injunction to restrain male employees from making the lives of female employees intolerable by continually harassing them with such comments as "Did you get any at the weekend?"

In the mid 1980s, British courts accepted that sexual harassment could amount to a wrong contrary to the Sex Discrimination Act. The employer is liable to pay damages if he is the harasser, or if he fails to take reasonable steps to prevent harassment of employees by colleagues, where the conduct creates a "detriment" in the working conditions of the complainant.

In 1989, the Employment Appeal Tribunal decided that a single act of sexual harassment could suffice for unlawful discrimination. Last November, an industrial tribunal in Hull, Humberside, stated that a waitress might tolerate some forms of sexual conduct by the head waiter but could still complain about more offensive harassment. She was awarded £1,500 com-

pensation for injury to her feelings. In May, a Leeds industrial tribunal awarded the maximum £8,925 compensation for injury to the feelings of a woman whose employer had failed adequately to investigate and remedy her complaints of sexual harassment by a male colleague.

As cases in the US have pointed out, it is unlawful for a female employer to harass a male employee, and for a homosexual employer sexually to harass an employee of the same sex. In July 1990, an industrial tribunal in Southampton awarded compensation of £750 and £1,000 to two female employees who were groped by a woman supervisor. But, as one American appeal court solemnly pronounced, "in the case of the bisexual superior, the insistence upon sexual favours would not constitute gender discrimination because it would apply to male and female employees alike". Such conduct may, however, be unlawful for other reasons: assault giving rise to civil or criminal liability, or breach of contract amounting to constructive dismissal.

The harassed woman should protest in writing to her employer, keep a record of all incidents, report the matter to her trade union, and discuss it with female colleagues to document the problem more widely. To bring the case to court requires considerable bravery. Such litigation attracts much publicity, most of it prurient. Newspapers not otherwise known for their law reports are prepared to fill many columns with details of evidence and judgments. A decision of the Employment Appeal Tribunal in 1987 permits the employer to call rebuttal evidence about the complainant's general attitude to matters of sexual behaviour, including evidence that, for various reasons, the woman welcomed the advances.

The best advice to employers who want to avoid the publicity and damages awards that such cases entail is to take sexual harassment seriously. To avoid liability, the employer should inform all employees that such conduct is prohibited. He should establish and publicise a scheme under which harassed employees may complain to management immediately and confidentially. He should investigate complaints and remedy by appropriate disciplinary sanctions all proven wrongs.

Whether or not he aspires to high judicial office, an employer is well-advised to avoid inflicting on his female employees, as was alleged against Clarence Thomas, descriptions of his own sexual prowess or accounts of pornographic films he has seen.

● The author is a practising barrister and a fellow of All Souls College, Oxford



COUNSEL

DAVID PANNICK

*The attempt to insulate the public from information freely available elsewhere is a significant step down a very dangerous road'*

## Lord Lane on the line

IN A recent largely unnoticed speech Lord Lane, the Lord Chief Justice, told about 400 people that neither a bill of rights nor the continental inquisitorial system of justice would necessarily be a panacea. He said such changes could often have serious side-effects. He cited the close examination of prospective Supreme Court judges, as witnessed recently to the United States, and the political influences associated with their appointment, as problems arising from a bill of rights, within a written constitution. Lord Lane highlighted some of the problems connected with inquisitorial systems, including initial police procedures more akin to those practised before the Police and Criminal Evidence Act 1984, with only 16 to 18 per cent of cases being investigated by examining judges.

He added that criminal trials nearly always resulted in guilty verdicts, and he contrasted this with the many acquittals in England, after decisions to prosecute by the Crown Prosecution Service. Germany, he said, had dispensed with its system of examining magistrates, and many people on the continent preferred the British adversarial system.

### Tender touch

SOLICITORS in private practice could benefit from the recent suggestion by the Audit

Commission that local authorities could farm out more of their legal work to private practice. Only 10 per cent of local authority work, worth about £19 million, is contracted out. Murmurs from the prime minister, John Major, about compulsory competitive tendering have boosted speculation that the in-house legal department may have to improve efficiency. The Audit Commission has recommended that the price of legal services offered by in-house lawyers to local authority departments should be checked against the cost of outside firms. It says that although outside lawyers' fees may be higher, in the long run using them may be cheaper than running an inefficient in-house department.

### Charity reprieve

BRITISH charities have won a reprieve from the European Community. The EC has now abandoned plans to introduce a single law governing non-profit-making organisations. The British lobby argued that the proposal failed to take account of a distinction, crucial in British charity law, between organisations that exist for the public benefit, and those for the benefit of their members that still operate on a non-profit-making basis, such as housing co-operatives. Instead the EC has come forward with separate statutes for the two kinds of organisation. The Charity Com-

mission has welcomed the opportunity to eliminate some of the quirks of British charity law, and has even suggested that the word "charity" could be dropped.

### Stressing a point

AN APPEAL court judge in Toronto handed down an unfavourable ruling one day last summer. Moments later, a 32-year-old lawyer screamed at his client and plunged a sharp pencil into the back of his own hand several times before police restrained him. The verdict: stress, the hot topic in Canadian law offices and no doubt in other countries as well. Experts say that



legal stress levels are not that different from those in other professions, but lawyers have been slower to acknowledge that it is not a "badge of honour". Firms offer no help to those suffering from stress, with the result that more lawyers than ever before are

questioning the value of what they do.

### Wrangles in Rio

PITY the lawyers (and bankers) trying to complete the privatisation of Brazil's national steel manufacturer, Usiminas Siderurgicas. The sale is being challenged in the supreme court by an opposition leader who claims it is unconstitutional, while the first attempt to sell it, in September, collapsed as lawyers squabbled over whether it was legal, and the bankers were pelted with eggs outside the Rio stock exchange.

### Child benefit?

ONE aspect of the Children Act that has attracted little attention is the revised reporting restrictions. Lawyers in the media department at Simon Olsang say the widespread coverage of issues such as the Cleveland, Rochdale and Orkney affairs could be made virtually impossible. Magistrates in family proceedings involving children will be able to exclude the press and it will be an offence to publish details likely to lead to identification. Thus the right to report a story involving a child subject to care proceedings will all but disappear. Although this was arguably in the children's interests, will it be better for children generally? Reassuringly, Lord Mackay, the Lord Chancellor has just announced a review of the law and practice on reporting family proceedings.

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The European Commission, Ami Barav reveals, cannot instruct governments

## Who tells Britain what it must do

There has been an outcry over the supposed power of the European Commission to order the government to suspend construction works. The action has been taken because the government is alleged to have failed to comply adequately with a 1985 European Community directive that requires an assessment to be made of the effects of certain public and private projects on the environment.

A similar outcry occurred last year over the legal action taken by the commission against the government for its failure to implement in good time community directives relating to the quality of drinking water. Attention has thus been drawn to the issue of enforcement of community law against states in default.

There is nothing unusual in such proceedings. Since 1958, the European Court has given judgments in 408 such cases, most of which have been duly and properly complied with.

Under the EC Treaty, the commission and member states have the right to complain to the European Court of an alleged infringement of community law by any member state. Usually, it is the commission that takes such action, but legally the commission has no power to order the government to do or to refrain from doing anything. That power is vested exclusively in the European Court.

Any suggestion that the commission has ordered the British government to stop certain works is misleading.

Before issuing proceedings in the court, the commission has to follow a procedure designed to give the member state extensive safeguards and guarantees. First, it should invite the government to submit its views on an alleged breach, then it must issue a reasoned opinion allowing that government reasonable time to take the necessary action.

Only where the government fails to act within the prescribed time may the commission bring the

matter before the European Court, but is under no duty to do so. The decision to prosecute is not taken by a single commissioner but by the commission as a collegiate body, on the advice of its legal service.

This is not yet the case with the environmental impact assessment directive. What seems to have happened is that a letter has been sent to the British government alleging that the directive has not been properly implemented and specifying seven projects, including the rail link between London and the Channel Tunnel, the extension of the M3 and a soft-drink manufacturing plant and can-making factory at Brackmills, Northampton, for which development consent has been granted in disregard of the procedure required by the directive.

Carlo Ripa di Meana, the commissioner in charge of environment policy, in a letter to Malcolm Rifkind, the Secretary of State for Transport, asked the government not to proceed with works on certain projects to prevent the environment being either "lost or damaged beyond repair".

This cannot be an order, only a request. If, after complying with the procedure, the commission decides to bring the matter before the European Court, the court may give only a declaratory judgment, with which the government will have to comply.

Pending final judgment, the court may make an interlocutory order such as, for example, the one made by the president on October 10 1989 ordering Britain to suspend the application of certain provisions in the Merchant Shipping Act 1988, which the commission was then challenging. This power is sparingly exercised.

The great majority of the cases against the various governments are settled out of court and most of the time, as in the case of the environment directive, the commission acts on complaints lodged or information supplied by outside sources.

Since Britain's accession to the



Saved by Europe? Protesters campaign against rail link plans

community in 1973, the European Court has given 388 judgments in cases brought against member states. Twenty judgments concerned Britain, and 136 involved Italy, 62 Belgium, 44 France, 36 Germany, 31 Greece, 20 The Netherlands, 15 Ireland, 11 Denmark, seven Luxembourg, four Spain and one Portugal.

Of the 110 cases against governments actually pending before the European Court, only four are against Britain: two introduced in 1989 and relating to conditions of granting fishing licence and an alleged failure to implement properly a community directive on the quality of water intended for human consumption and two introduced in 1990, one concerning the circumstances in which compulsory licences are granted in Britain, the other an alleged failure to implement a community directive on the qual-

ity of bathing water in Blackpool, Formby and Southport.

Forty-three actions against governments had been introduced before the European Court in the first nine months of 1991, none of them against Britain.

The cases hitherto brought against Britain related to a variety of issues. For example, in the first two cases brought since accession, the court ruled in 1979 against the government for not making compulsory the installation of recording equipment in certain road transport vehicles and for imposing a ban on the importation of potatoes.

Whatever the role of the commission, it must be clearly understood that it is only the European Court which has the power legally and authoritatively to determine whether or not a member state is in breach of community obligations.

Dr Barav is a consultant with Theodore Goddard, solicitors

A London firm is opening three East European offices

## Great eastern gamble starts to look safer

A change in attitudes towards work in Eastern Europe is marked by today's announcement by Theodore Goddard, the City law firm, that it is opening offices in Warsaw, Prague and Budapest. The initiative, being made jointly with the New York firm Dewey Ballantine, marks the culmination of an East European strategy going back to the mid 1980s.

"Until early this year, we could handle transactions quite effectively from London," says Stuart May, the senior partner at Theodore Goddard. "But now we've noticed a difference. In order to win work, whether from clients in the West or a government in the East, we feel it's necessary to be on the spot and demonstrating a long-term commitment to the region."

With this week's Polish election over, events are expected to move fast in Warsaw, especially since a big commitment to privatisation has been made.

"In the past few months, people have been reluctant to make decisions because of uncertainties over the election," Mr May says. "We now expect the pace of change to speed up considerably. There are lots of smaller privatisations that will be done quickly, and you need to be there to handle them."

Interest in Eastern Europe is growing fast. There are already three London firms in Poland, as well as numerous Americans. Turner Kenneth Brown recently opened in Prague, where S.J. Berwin and Lovell White Durrant are already well-established, and

Budapest has a growing presence of Western lawyers, led by Baker & McKenzie, which was working there long before it became fashionable. Nabarro Nabarro last week announced its association with the Law Information Centre, a Moscow law firm.

Yet there are still uncertainties about the pace of economic reform. Why then has Theodore Goddard gone for all three countries in one go?

Mr May says: "Many clients in the West regard Poland, Czechoslovakia and Hungary as a unit. Clients are frequently doing business in all three simultaneously, so

we will be staffed by three or four locally recruited lawyers, under either a British or American partner. Although final appointments have not been made, there has been no difficulty in attracting interest from people with good skills."

As Mr May emphasises, it is for their skills rather than their contacts that people are being selected. He says: "Frankly, because of our interest and regular connections with these countries over a number of years, we believe that we already have the necessary contacts. The key issue now is how to do the work most effectively and to show a real commitment in being there."

The joint venture as a whole will be run by a four-person Anglo-American committee, although day-to-day management will be the responsibility of Ken Mildwaters, a London-based Australian lawyer. Mr May adds: "In effect, our East European work is being run as a single practice. Already, we have integrated teams working on many transactions."

According to Rupert Simpson, who runs the Dewey Ballantine office in London, the London-New York alliance was established earlier this year with the aim of becoming a platform for precisely this kind of development.

In any case, claims Mr Simpson, East Europeans are attracted by the idea of working with an Anglo-American operation because it gives access to both European Community and North American expertise.

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Each office will be staffed by three or four locally recruited lawyers, under a British or American partner

they want to be confident that we can handle everything for them.

"Besides which, there are benefits of scale in terms of transferable research and knowledge."

Theodore Goddard and Dewey Ballantine are also undertaking a lot of inward investment, especially from the United States. In industries such as pharmaceuticals, travel and tourism, the Americans are willing to make a big investment in start-up capital and training.

From a commercial viewpoint, such transactions are attractive because normal fees can be charged. Earlier work, particularly for the governments, had only borderline profitability. Each of



Setting up an eastern initiative: lawyers Ken Mildwaters, left, Rupert Simpson, and Stuart May

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## Law Report October 29 1991

## No precedence for contractual right

MacJordan Construction Ltd v Brookmount Erosin Ltd

Before Lord Justice Parker, Lord Justice Farquharson and Lord Justice Scott

[Judgment October 23]

Where a property developer failed to set up a retention fund in breach of the terms of a building contract with a builder and became insolvent, the builder's contractual right to have the retention fund established could not take precedence over a bank's charge even though the bank had expressed notice of the building contract when its charge was executed.

The Court of Appeal so stated dismissing an appeal by the plaintiff builder, MacJordan Construction Ltd, from the decision of Mr Recorder Brian Knight, QC, who, sitting as a deputy judge of the High Court on official referee's business, refused an application by the builder for an order that the defendant developer, Brookmount Erosin Ltd, establish a separate fund in a bank or building society account identified as the retention fund.

Mr Adrian Williamson and Mr Mark Arnold for the builder; Mr Piers Ashworth, QC and Mr Robert Hantusch for the developer and the bank, Generale Bank SA, NV.

LORD JUSTICE SCOTT said that the developer, who had become insolvent, owed a substantial sum to the builder under the terms of a building contract dated May 31, 1989 and was also heavily indebted to the bank, who had advanced

money for the development repayment of which was secured by a floating charge granted by a charge dated June 23, 1989.

The building contract provided for interim payments to be made against interim architects' certificates but entitled the developer under clause 30.4 to make a retention of 3 per cent from each certified amount. By January 1991 the retentions made by the developer under clause 30.4 amounted to £109,247 but no fund was appropriated and set aside by the developer.

On March 4, 1991 the bank pursuant to its powers under the charge appointed administrative receivers of all the undertakings, property and assets of the developer comprised in the charge. One of the results of the appointment of receivers was that the bank's floating charge crystallised.

The builder argued that if the requisite fund had been appropriated and set aside, the trust fund thus constituted would have been removed from the assets that remained subject to the bank's floating charge. His Lordship agreed that that would have been the effect of the appropriation and setting aside of the fund.

The builder then argued that since, in breach of contract, the requisite fund was not appropriated and set aside, clause 30.4.2.1 operated to confer on the builder an equitable interest in the notional fund that ought to have been appropriated by the developer, which would rank ahead of the bank's interest under its floating charge because

the building contract pre-dated the charge.

That argument was, in his Lordship's judgment, misconceived. The bank had an equitable interest in the assets held by the developer on the date the floating charge crystallised, that is, £157,000. If the builder was to have priority over the bank's equitable interest it had to establish one of two things.

First, the builder had to establish that it had an equitable interest in some identifiable assets of the developer, the £157,000, or the builder had to establish that the bank was bound in equity to permit the builder's contractual right, that is, to have the retention fund set aside, to have effect.

It was common ground that, pre-receivership, the retention fund had not been set aside and that there were no identifiable assets impressed with the trusts applicable to the retention fund. In his Lordship's judgment that left only the question whether the bank was bound in equity to give effect to the builder's contractual right to have the retention fund appropriated and set aside.

There was no doubt that when the charge was executed the bank had expressed notice of the terms of the building contract. There were circumstances in which the bank's contractual rights would be held to bind persons who acquired interests in property affected by those contractual rights: see *de Mattos v Gibson* ((1858) 4 de G & J 276) which was examined by Mr Justice Browne-Wilkinson in *Swiss Bank Corporation v*

*Lloyds Bank Ltd* ([1979] Ch 548, 573).

His Lordship was not satisfied that the present case was covered by the *de Mattos* proposition. There were two distinguishing features in the present case.

First, in *de Mattos* the contractual rights in question related to a specific item of property, a ship. In the present case the contractual right did not relate to any specific asset. Second, the bank's charge in the present case was not, when granted, inconsistent at all with the builder's contractual right under clause 30.4.2.1 of the building contract. The terms of the charge did not, until the crystallisation of the floating charge, prevent effect being given to the builder's contractual right.

In his Lordship's judgment those two distinguishing features disqualified the builder from relying on the *de Mattos* equity. The short answer to the builder's claim was that the plaintiff had no equity against the bank to require the bank to make available, in order that the retention fund might be set up, assets over which the bank had an equitable interest under the charge.

The court should not, in any event, make the mandatory order sought in circumstances where the effect would be to give an unsecured creditor preference over other unsecured creditors of an insolvent debtor.

Lord Justice Parker and Lord Justice Farquharson agreed.

Solicitors: Neil F. Jones & Co, Birmingham; Bishop & Sewell.

*Pan American World Airways Inc v Andrews and Others*

Before Lord Kirkwood

[Judgment September 27]

Where a party who apprehended that an action was shortly to be raised against him in a foreign country sought interim interdict to prevent that being done, and yet in the event of such an action it would be open to him to argue *forum non conveniens* in the foreign court, interim interdict would be refused.

Lord Kirkwood so held, sitting in the Outer House of the Court of Session, refusing an *ex parte* motion by Pan American World Airways Inc, Pan American World Services and Alert Management System Inc for interim interdict against Cheryl Gowanlock Andrews and others.

Mr Michael Jones, QC, for the petitioners.

LORD KIRKWOOD said that the respondents had each been on the ground in the Lockerbie area on December 21, 1988 when a Boeing 747 aircraft operated by the first-named petitioners had crashed there. The petitioners averred that the respondents intended to instruct attorneys to bring a class action against them either in New York or in Miami, and sought interim interdict against the initiation of such proceedings.

They argued that it was competent for the court to interdict a party from proceeding with an action in another jurisdiction: *Young v Barclay* ((1846) 5 D 714); *Dawson Trs v Maclean* ((1860) 22 D 685). In

## Scots Law Report October 29 1991

## Move to block US action fails

that respect the principles were the same in Scotland and England; *Castanho v Brown and Root (UK) Ltd* ([1981] AC 557); *Société Nationale Industrielle Aérospatiale v Lee Kui Jak* ([1987] AC 871).

The respondents' claims could be tried more suitably in the Scottish courts because they were the natural forum, they argued. At the time the respondents had been resident and employed in Lockerbie. None had any connection with New York or Florida.

The petitioners said that the accident had taken place in Scottish airspace and the Scottish courts had jurisdiction over the petitioners in respect of an alleged delict committed in Scotland. Scottish law agents for both sides had fully investigated the circumstances and had been present at the fatal accident inquiry; litigation in the US would involve duplication of effort with the instruction of attorneys not hitherto involved, and attendant expense.

Proceedings in Scotland would take substantially less time than the two to three years which they would take in the US. In New York, and probably also in Florida, Scots law would in any event determine both liability and quantum.

The respondents and witnesses would have to travel to the US from the UK and Germany. Expert witnesses as to the law of Scotland would have to be engaged.

The petitioners' likely expenses in the US courts would not be less than £7 million, which would be irretrievable irrespective of success. Litiga-

tion in Scotland would cost about \$130,000 on each side.

Any damages awarded to the respondents in the US would be subject to contingency fees of up to 40 per cent. The petitioners would argue *forum non conveniens* in the US as a preliminary issue and that would inevitably delay proceedings.

The petitioners conceded that interdict should not be granted if the respondents would thereby be deprived of a benefit which would accrue to them if they raised proceedings in a foreign court, but neither their prospects of success nor the likely level of any award in their favour would be enhanced if they sued in the US. Raising proceedings there would in all the circumstances be vexatious and oppressive.

His Lordship accepted that the motion was competent, but it was a power that should be exercised with caution: *Young v Dawson Trs*; *SNI Aérospatiale*. It had to be borne in mind that the aircraft had been a US aircraft operated by the first-named petitioners, whose principal place of business was in New York, and that the other petitioners were based in Florida. Any negligence by the petitioners which allowed the bomb to be placed on the aircraft must have taken place outside Scotland.

Moreover, if the petitioners did indeed take a plea of *forum non conveniens* in any US litigation, then the whole question of the alleged inconvenience and additional expenses could be argued before the US court, which would have the benefit of full submissions on

behalf of both sides. Most of the alleged inconvenience and expense would not arise unless and until such a plea was rejected there.

It was also relevant that no proceedings had been raised in Scotland. In the circumstances it would not be inappropriate for the issue of *forum non conveniens* to be argued before a US court, and that issue should not be pre-empted by an interim interdict.

On the balance of convenience, while any US proceedings required to be raised by December 21, 1991, the petitioners had not explained why there was such a degree of urgency that the application had to be heard in the absence of the respondents.

If interim interdict was granted and the petitioners were allowed a proof in the present petition there was a real danger that that could not take place before December 21, 1991; the respondents might then be forced to raise proceedings in Scotland to protect their position, and if the present petition subsequently failed they could be too late to raise proceedings in the US.

If the petitioners succeeded in arguing *forum non conveniens* in the US then they would not suffer the inconvenience and expense on which they were founding, and if their plea was rejected there it would still be competent for them to apply to the Scottish courts for interdict against the respondents continuing with their US action: *SNI Aérospatiale*.

Solicitors: Simpson & Marwick, WS.

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£34,000

London Transport's Legal Department is experiencing a substantial increase in workload, generated both by London Transport and its subsidiaries, and we're looking for additional solicitors to join us.

## Commercial/Commercial Litigation Solicitor

You'll be involved in the negotiation and drafting of contracts for the sale and purchase of goods and services, computer and construction contracts, commercial litigation and arbitrations of values amounting to hundreds of millions of pounds. You will need a reasonable amount of relevant post-qualification experience. Ref CDV 9248/E.

## Parliamentary Solicitor

You'll contribute to the expansion of the Underground by handling negotiations and drafting relating to authority to build new lines and improve existing facilities. Direct parliamentary experience is not essential, but you should be able to demonstrate drafting and negotiating skills. Ref CDV 9249/E.

There are excellent opportunities for promotion, with salary prospects to £40,000. Solicitors who have limited experience but possess genuine ability to make rapid progression might be appointed at a lower salary scale. Please apply in writing, with full CV, quoting the relevant reference number to Glenn Harvey, Central Personnel, London Transport, 55 Broadway, London SW1H 0BD. For further information please telephone 071-918 3762.



London Transport

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**CityPoly**  
City of London Polytechnic

Faculty of Business  
Department of Law  
PRINCIPAL LECTURER

£23,499 - £29,121 per annum

(under review)

The Polytechnic is seeking to appoint a Principal Lecturer to support the current teaching on the Law Society Finals Course, and play a leading role in the development and organisation of our proposed Legal Practice Course. Substantial experience of teaching on the Law Society Finals Course, and a strong interest in the teaching of practical legal skills are essential requirements for this post.

If you wish to have an informal discussion before applying, please telephone Frank Webb, Head of Department on 071-255-1000 ext. 322.

For further details and an application form, please write to the: Personnel Department, City of London Polytechnic, 31 Jersey Street, London, EC3N 2EY, quoting ref. 31779. Closing date: 12th November 1991.

THE POLYTECHNIC IS COMMITTED TO A POLICY OF EQUAL OPPORTUNITIES FOR ALL.

## HONG KONG

Banking/Finance Solicitors  
£ very attractive package

Two Solicitors are required for top quality banking/finance department. One with up to two years experience and one with three to four years post qualification experience. Both positions require applicants to have excellent academic backgrounds and sufficient experience in the field in a top City firm to enable them to comfortably and quickly deal with large scale transactions in a dynamic and busy department.

Interviews will take place in London on 4th and 5th of November.

Please contact Claire Castell  
for further information.

Hughes-Castell Ltd London and Hong Kong

Legal Recruitment Consultants

11 Bolt Court, Fleet Street, London EC4A 3DF. Telephone 071-583 0232 Fax 071-583 0942  
802 East Town Building, 41 Leachford Road, Hong Kong. Telephone 5201188 Fax 8530525.

## GRAHAM GILL &amp; YOUNG

LEGAL RECRUITMENT CONSULTANTS

PRIVATE PRACTICE  
LONDON

**BANKING**  
Exciting opportunity within a niche City firm, to handle banking and capital market products, including fund work, general securities and commodities law. Junior position: NQ or 2 yrs ppe, pre-ferable relevant exp. cc. Senior position: 4 to 5 yrs ppe, must have relevant exp. cc.

**LANDLORD & TENANT**  
Progressive medium-sized Central London firm seeks specialist Landlord & Tenant litigation solicitor with 2 yrs' + experience to assist senior litigation partner. Personality as important as technical expertise. Prospects for the right applicant.

**LITIGATION**  
Central London firm requires ambitious assistant to join busy litigation dept. You will be assisting a team of partners acting for major corporate clients.

INDUSTRY  
LONDON

**PROFESSIONAL INDEMNITY**  
Accountancy practice seeks lawyer to join small dept handling a broad range of work including professional negligence and disciplinary matters. A challenging and demanding role with scope for development.

**COMMERCIAL**  
Opportunity for a commercial lawyer with good academic background and 2 to 5 yrs ppe to join a first class dept in a high profile co. General advice on all aspects of the company's business to senior management level.

**COMMERCIAL**  
Well known oil co seeks a senior legal adviser to join expanding department. A minimum of 4 yrs ppe in the UK oil and gas sector is preferred.

PRIVATE PRACTICE  
PROVINCES

**BRISTOL**  
Large practice requires solicitors/barristers to join agricultural and property litigation dept. One junior lawyer: 1 year ppe; senior lawyer: c.3 yrs ppe. The dept also handles planning and environmental issues.

**BIRMINGHAM**  
Leading City firm requires two solicitors with c.1-2 yrs to undertake either commercial litigation work, comprising insurance-related work or general litigation, including advocacy.

**SURREY**  
Senior litigator with 3 years + ppe sought by established firm to handle wide variety of commercial litigation within a busy expanding dept.

Contact Dawn Thompson on 071-430 1711 (or 071-607 0821 evenings)  
or write to her at Graham Gill & Young 44-46 Kingsway, London WC2 6EN

# STRASBOURG

Our client is without doubt one of France's leading commercial law firms, with "headquarters" in Paris and offices in several other, primarily European, countries.

In order to be at the heart of European activity, the firm recently opened what is proving to be a very successful office in Strasbourg. With the advent of 1992, this is earmarked for yet further expansion, creating an unrivalled opportunity for an English lawyer, based in Strasbourg, to move beyond purely legal work into a commercial fee-earning role, often of a trans-national research nature and involving substantial liaison with international clients and European institutions.

Candidates could come from any commercial discipline and will ideally be aged 25-35. A knowledge of French (or possibly German) would be useful, but is not essential since most of the business will be conducted in English.

This is an exceptional opportunity for an internationally-minded lawyer to develop a career in one of France's most progressive firms. Remuneration will be generous and certainly not a bar for the right candidate.

For further information please telephone David Jermyn, LL.B., on 071-405 4161 or write to him at Reuter Simkin Ltd., Recruitment Consultants, 5 Bream's Buildings, Chancery Lane, London EC4A 1DY.

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## PRIVATE PRACTICE, INDUSTRY & COMMERCE

### EEC/COMPETITION LAW to £43,000

Leading City practice with expanding reputation in EEC/competition law seeks to recruit an additional solicitor for its EEC department with c.1-3 years' p.q.e. Experience of OFT and MMC would be useful.  
Fiona Campbell Ref: 13848

### INSURANCE LITIGATION to c.£37,000

Well-known niche insurance/banking practice, based in the City, requires an insurance litigator with c.1-2 years' p.q.e. to handle professional indemnity work. Although not essential, experience of E&O work would be useful.  
David Jermyn Ref: 13755

### SHIPPING LITIGATION Hong Kong

City firm requires a shipping litigator for its Hong Kong office. The successful candidate will be either newly-qualified, having served articles with a marine firm, or a marine specialist with up to 4 years' p.q.e. Excellent package.  
Fiona Campbell Ref: 13593

### BANKING/INSURANCE to c.£47,000

Boutique City practice seeks solicitor with 2-4 years' p.q.e. experience in banking and/or insurance. As member of Co/Commercial Dept, successful candidate will advise broad range of clients: banks, insurance companies and airlines.  
Deborah Nicol Ref: 13921

### PROPERTY FINANCE to £65,000

Medium-sized City firm with an excellent reputation in the property field requires an experienced property-finance lawyer to join its specialist team which acts for banks, building societies and other financial institutions.  
David Jermyn Ref: 13962

### INFORMATION TECHNOLOGY to c.£40,000

Our client, with established reputation in the field of IT, now seeks lawyer with proven experience in this area to join its specialist IT unit. Understanding of the computer industry and ability to nurture contacts is important.  
Deborah Nicol Ref: 11933

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London EC4A 1DY  
Tel: 071-405 4161  
Fax: 071-405 3677  
DX 16 Chancery Lane

REUTER  
SIMKIN

**COMMERCIAL LIT.** TO £35,000  
This substantial City firm requires a 1 to 2 year qualified litigation solicitor to handle contractual and taxation disputes, landlord and tenant and general commercial litigation.

**EMPLOYEE BENES.** TO £35,000  
This well known City firm needs a solicitor with experience in share option schemes, ESOPs and EBT's to build on this experience and handle other employment matters.

**PROPERTY LIT.** TO £55,000  
This dynamic City firm needs a 4 to 6 year qualified general property litigator to handle landlord and tenant matters, rent reviews and valuations.

**BANKING LIT.** TO £38,000  
This sizeable central London firm needs a 1 to 3 year qualified banking litigator to become involved in a variety of high profile work in a close knit team.

The above are only a small selection from the positions we are currently instructed to fill. All approaches are treated in the strictest confidence and we never send out your CV without your express consent.

**BERKS.** TO £30,000 + CAR  
A bright young lawyer is sought to join this high profile company. Applicants will have a minimum of 1 year's company commercial experience in private practice or industry.

**HIGH-TECH.** C. £45,000 + CAR  
A number 2 is sought to join this fast growing high-tech company based in Middlesex. Applicants will have relevant experience in software licences, trademarks and contracts.

**BEDS.** C. £35,000 + CAR  
A lawyer with experience in leasing, securities, consumer credit and general company/commercial matters is sought to undertake a senior role with this company.

**THE NORTH** & EXCELLENT  
A solicitor or barrister with a minimum of 1 year's shipping experience is sought to join this leading P&I club to handle arbitrations, FD&O matters and litigation.

**LAURENCE  
SIMONS  
ASSOCIATES**

Legal Recruitment

**CIVIL LITIGATION** BUCKS  
A 1 to 3 year qualified solicitor is required by this well established firm to specialise in personal injury litigation with some advocacy and matrimonial.

**PERSONAL INJURY** HANTS.  
This young, rapidly expanding firm requires a personal injury solicitor with up to 2 years' experience, to mainly handle defendant matters with involvement in advocacy.

**PRIVATE CLIENT** SUFFOLK  
This well established firm has a vacancy for a 2 to 3 year qualified solicitor to work with a senior partner on probate and trust matters and to help develop the client base.

**CRIME/ADVOCACY** S.E. LONDON  
This well known practice is seeking a high calibre advocate with 2 to 3 years' experience to manage and develop a busy department. Excellent package including car.

Please telephone Shona McDougall, Patrick Alford or Rose Hellewell on 071-831 3270 (071-483 1899 evenings/weekends) or write to: Laurence Simons Associates, 33 John's Mews, London WC1N 2NS. Fax: 071-831 4429.

## Barrister/Solicitor

A diversity of challenge in corporate legal services

As one of the world's largest motoring organisations, the AA has an exceptionally diverse range of business interests. Indeed, while membership services still form the cornerstone of our reputation, our commercial involvement today spans areas as varied as Insurance, Financial Services, Publishing and Travel and Information.

Our Corporate Legal Division plays an influential role across the whole organisation, with responsibility for advising management on all corporate legal matters. This role therefore presents an excellent opportunity for a Barrister or Solicitor to gain a wide breadth of commercial experience.

Although reporting to the manager of Corporate Legal Services, you will work mainly on your own initiative, approaching the handling of day-to-day legal matters with clarity, accuracy

and commercial flair. In fact, from preparing contracts to vetting advertising material and instructing solicitors, you will play a key role in promoting the company's best legal interests.

A skilled negotiator and communicator, your post-qualification experience will have been gained through at least 2 years in a commercial legal environment, including experience in drafting contractual documentation.

As you would expect from an organisation of our stature, we offer a competitive remuneration package and associated benefits.

To apply, send full career details to Lesley Gambin, Corporate Group Personnel, at the address below.

AA

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## LEGAL DEPARTMENT ASSISTANT SOLICITOR

(2 POSTS)  
£20,575 - £31,676

The Regional Health Authority covers 19 Districts in Greater Manchester and Lancashire, serving a population of over 4 million.

Based in the Regional Solicitor's office in Central Manchester, successful applicants for these new posts will join a team of lawyers dealing primarily with personal injury claims alleging medical negligence. The work is demanding and very interesting.

Career development is encouraged, with in-service training. The experience of those appointed will determine the starting salary.

Informal discussions welcomed by Mr R C Jones, Regional Solicitor on 061-267 2171.

For application form tel 061-236 3312 quoting Ref 1007. Closing date 12th November 1991. We are an Equal Opportunities Employer.

NORTH WESTERN

REGIONAL HEALTH AUTHORITY

# CONSTRUCTION LITIGATION

## Head of Department

Clyde & Co is a top twenty law firm with offices in the UK, Far East, Middle East and Latin America and an associated office in France. We advise clients engaged in all aspects of commerce and international trade.

We are seeking an experienced construction litigator to lead and expand the firm's construction practice. The successful candidate will take responsibility for existing work and build up his/her own department with the full support of the partnership.

The ideal candidate will have at least five years' relevant experience, probably being a junior partner in another firm, and will have some existing contacts and following. Flair, intellectual ability and determination to succeed are essential. This is an exciting opportunity to develop your own team within an expanding and progressive firm.

For further information in complete confidence, please contact Lisa Wilson on 071-623 1244 or write to her at 51 Eastcheap, London EC3M 1JP.

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CLYDE & Co

## PRIVATE PRACTICE — COMMERCE/INDUSTRY

**PLANNING/ENVIRONMENTAL** To £50,000  
Major City practice. Successful and highly respected property department. Assistant required for expanding environmental group. Ideally with 2-4 years' relevant experience. Excellent prospects.

**EMPLOYMENT** To £40,000  
Truly dynamic London firm. Busy commercial litigation department seeks solicitor for expanding employment unit. Ideally 2-4 years' qualified, with experience of contentious and non-contentious work.

**INTELLECTUAL PROPERTY** To £50,000  
Large London firm seeks assistant 2-4 years' qualified for burgeoning intellectual property group. Candidate must have a proven background and experience of patent and trademark litigation.

**EEC** To £60,000  
Premier international City firm seeks additional assistant to join successful EEC/Competition unit. Candidates should have up to 5 years' relevant experience. Superb opportunity.

**COMMERCIAL LITIGATION** To £42,000  
Progressive, medium sized City firm. Thriving litigation group. Seeks solicitor 2-4 years' P.Q.E. Challenging work including employment, insolvency, banking, fraud.

**COMMERCIAL PROPERTY** To £38,000  
Highly respected, medium sized, City firm. Blue-chip client base. Busy, expanding property group. Seeks solicitor 2/3 years' P.Q.E. Must be from recognised practice.

**INSOLVENCY** £ City Rates  
Successful, young, medium sized City firm. Litigation group seeks solicitor c.2 years' P.Q.E. Top quality litigious insolvency work. Solicitor/barrister. Excellent prospects. Team environment.

**PROPERTY LITIGATION** £45,000  
Major City firm. Outstanding reputation across all areas of the law. Seeks property litigator 2-4 years' P.Q.E. for specialist team. Solicitor or barrister. Minimum (2.1) degree.

**COMPANY/COMMERCIAL** c.£40,000 +  
International hi-tech company and renowned market leader. Lawyer sought with up to 5 years' P.Q.E. to handle diverse commercial/contractual issues. Surrey based with opportunity to travel.

**BANKING** £ First Class  
Expanding banking consultancy seeks additional lawyer to join team. High level of client contact/business development. Solicitor from City firm/bank with up to 1 year's P.Q.E.

**INTERNATIONAL BANKING** c. £55,000 +  
Major international bank requires lawyer from front line European role. Handling broad commercial banking matters you will have at least 4 years' P.Q.E. Superb prospects.

**NORTH EAST** to £30,000 + Benefits  
Major blue chip organisation with first rate legal team. High quality corporate/commercial work with international bias. Lawyers with at least 2 years' P.Q.E. Excellent first move into industry.

**SOUTH WEST** to £25,000 + Benefits  
Well known British company at the forefront of its sector. Expanding legal department requires young lawyers, NQ to 2 years' experience. General company/commercial matters.

**FINANCIAL SERVICES** £ Excellent  
Well known financial company based in the London area. Senior position within the department. Lawyer with over 3 years' P.Q.E. in general commercial or financial services work. Excellent prospects.

**CONTRACTS** c. £30,000 + Benefits  
Well known hi-tech company based in Northern Home Counties. Lawyer required to join Commercial Department. Responsible for negotiation of all major contracts. High profile role.

**COMPANY/COMMERCIAL** To £35,000 +  
International corporation seeks UK qualified lawyer for UK operations. General corporate, company secretarial and commercial work. Lawyers with at least 1 year's P.Q.E. London based.

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## Commercial Lawyer

One of the best known British manufacturing companies with interests worldwide seeks to strengthen its busy central legal function.

• **THE TASK** is to provide support to the Director of Legal Services in commercial legal matters including mergers and acquisitions internationally.

• **THE NEED** is for an able and energetic professional with relevant experience and the ability to achieve results in a fast moving, loosely structured environment. A background including periods with a major City firm of solicitors and in the legal department of a significant manufacturing multi national would be particularly apposite.

• **SALARY** circa £50,000 plus bonus and generous ancillary benefits. Preferred age thirties. Attractive Thames Valley location outside London.

Write in confidence, enclosing a Curriculum Vitae, quoting ref: T 7430 to:

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SELECTION

8 Halkin Street, London W1N 6PJ. Tel: 071 580 6113; Fax: 071 631 5317

A DIVISION OF TYZACK & PARTNERS

MANCHESTER Solicitors seek a newly qualified candidate for a 2 year apprenticeship. Salary negotiable. Apply with CV to: Mr. Mervyn, 429 Chester Road, Old Trafford, Manchester M16 9HA

MATERNITY SOLICITOR with up to 3 yrs P.Q.E. sought for South Midlands practice. Good Salary, Law Personnel 10711 12494

MATERNITY LEGAL EXECUTIVE sought by large Bucks practice to assist partner. Law Personnel 10711 12494

PERSONAL INJURY Mediators practice seeks an additional solicitor with 2-4 yrs relevant P.Q.E. Excellent prospects. Law Personnel 10711 12494

071-481 4481

## LEGAL APPOINTMENTS

071-481 9313  
071-782 7828COMMERCIAL PROPERTY  
(Partnership Prospects)

Yorkshire to £45,000 Package

Our client is a progressive forward looking firm of Solicitors with an impressive record of growth over recent years. Due to expansion and a continued influx of property work, they are now seeking a Senior Commercial Property Lawyer.

The successful candidate will have several years' property experience gained in a city practice. It is important that he/she has a good knowledge of commercial leasehold and experience of planning related matters would also be useful.

This is an exciting opportunity for a Solicitor seeking a career move to a firm where there will be the opportunity to become involved in the further development of the Property Department.

There will be an excellent commencing salary and early partnership prospects flexible according to age, experience and present status. The package will also include a company car and relocation assistance where appropriate.

For further information, please contact ANN BATES, quoting ref. 911/901T at Daniels Bates Partnership Ltd., Joseph's Well, Hanover Walk, Park Lane, Leeds LS3 1AB - (0532) 461671. Your application will be treated in the strictest confidence.

**Daniels Bates Partnership**  
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The five star legal recruitment agency

Glaxo  
WORLD LEADERS IN PHARMACEUTICALS  
Head of Intellectual Property

First Class Package

West London

Glaxo is an international pharmaceutical business with operations in over 70 countries generating an annual turnover in excess of £3 billion.

## THE COMPANY

- ◆ A world leader in its field with an outstanding record of growth and profitability.
- ◆ A total commitment to R and D investment, exceeding \$600 million in the present financial year, as the basis for continued growth and success.

## THE POSITION

- ◆ Responsible to the Group Legal Adviser for managing and co-ordinating the protection of the Group's extensive portfolio of intellectual property.
- ◆ External representative and lobbyist on intellectual property matters.

## QUALIFICATIONS

- ◆ A qualified intellectual property lawyer or CPA/EPA or equivalent. Graduate in chemistry/biochemical sciences. Aged 40-50.
- ◆ Strong management track record in an international, science based environment.
- ◆ Capable of operating at the highest levels.

Please reply in writing, enclosing full cv, Reference LKA256  
54 Jermyn Street, London, SW1Y 6LX

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## BRITISH SKY BROADCASTING

## IN-HOUSE LAWYER

Since the merger of British Satellite Broadcasting Limited and Sky Television Plc in November 1990 the experience to be gained from the amount and diversity of legal work handled by the legal department at Sky is probably unmatched anywhere in the media industry.

This is an exciting and highly challenging opportunity for a solicitor with up to two years post-qualification experience to join the legal and business affairs department as assistant to the Head of Legal and Business Affairs. The position will involve advising the company on the full range of legal and business issues affecting a satellite broadcaster.

Applicants must demonstrate good commercial judgment, initiative and commitment to their work with the ability to deal with a heavy workload and a highly pressurised environment.

An understanding of copyright, broadcasting and telecommunications is important, and experience in company law and UK and EC Competition law would be useful.

Benefits include BUPA cover, 25 days holiday and a contributing pension scheme. Salary negotiable depending on experience. Please send CV detailing current salary to:

Deanna Bates, Head of Legal and Business Affairs, British Sky Broadcasting Limited, 6 Centaurs Business Park, Grant Way, Isleworth, Middlesex TW7 5QD. Telephone (071) 782 3000.

MANCHESTER  
POLYTECHNIC

## HOLLINGS FACULTY

## PART-TIME LAW LECTURER

A Lecturer is required as soon as possible to teach part-time (4-5 hours per week) in the Department of Hotel Catering and Tourism Management.

The teaching will cover the general principles of law and elements of business law to students on the degree and/or diploma programmes in the Department. Hourly rate of pay £19.94.

For further details please telephone John Theodorides on 061-247 2720. Closing date for applications is 8th November 1991.

## Company Lawyer

Stafford/Cheshire Border

c £28,000 + Bonus + Excellent Benefits

Applications are invited to join this internationally renowned Plc company. Regularly exporting to more than 40 countries our client now requires a Company Lawyer.

Reporting to the Group Chairman you will be commercially astute, and required to be accomplished in diplomacy and capable of presenting a persuasive point of view.

Aged over 24, professionally qualified in law, an admitted solicitor with experience in general law and commercial/company legal practice, you will receive an excellent package including a substantial performance related bonus with relocation expenses as required. Please reply with full CV quoting Ref No 330291 to James Hyde, Director, BPSS, 96 Evesham Road, Weethly, Alcester, Warwickshire B49 5LW.

BRIAN FORBES

SEARCH & SELECTION  
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## PUBLIC APPOINTMENTS

## PUBLIC APPOINTMENTS

## CHIEF EXECUTIVE

Croydon Health Services Group (Provider Unit)

Starting Salary: Negotiable within the DGM2 group  
£41,500 - £59,950 (Pay Award pending)  
Plus £2,490 geographical allowance  
Plus performance related pay.

Can you meet the challenge of providing the leadership and strategic direction which will translate our vision of the future into reality?

Croydon Health Services Group delivers a comprehensive range of Acute and Mental health services, employs 4000 staff and has an operating budget of £72 million. A number of important initiatives such as the development of clinical teams and RMI are underway and the Group has recently expressed an interest in seeking NHS Trust status by April 1993.

- So, key responsibilities will be:
- providing strategic direction and effective leadership
  - ensuring the best possible delivery of health care
  - securing the Group's income
  - developing sound Business & Financial Plans and strategies
  - preparing for NHS Trust status

The person we seek to appoint to fill this demanding role will have a proven track record of achievement and several years experience in a senior general management post, preferably in a large operational Unit or at board/district level. He/she will be required to have the ability to progress the NHS Trust

application to its conclusion and develop the board which will ensure effective governance of the Group (Trust). Highly developed communication skills, decisive leadership qualities, considerable financial acumen and the ability to command respect throughout and beyond the Group will be important attributes.

For an information pack and application form please contact: Andy Leonidou, Director of Human Resources, Mayday University Hospital, Mayday Road, Thornton Heath, Surrey, CR7 7YE. Telephone: 081 684 6999 Extension 3996 or 081 665 0579.

The closing date for applications is Thursday, 14th November 1991.

Interviews will be held on Tuesday 26th November and shortlisted candidates will be invited to visit the District on Friday 22nd November.

CROYDON  
HEALTH AUTHORITY  
working towards equal opportunities

## GENERAL MANAGER

OPERATIONS/ADMINISTRATION

c.£60 K + car + benefits

Major Private Hospital - London

An exciting and challenging opportunity, for a business/commercial professional. Previous senior management experience is essential, and a qualification in business administration is desirable, however a hospital background is not a pre-requisite.

Ideally the successful candidate will be aged under 40 years.

Please reply with full details and a photograph to:

Box No. 5688,  
Times Newspapers Ltd, Box Nos. Department,  
1 Virginia Street, London E1 9BL

SPECIAL  
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## DIRECTOR OF PERSONNEL

£37,202 (increase pending) + lease car and PRP.

A Senior personnel professional, preferably IPM qualified, is required by the SHSA which was established in 1989 to provide direction and specialist management to the three Special Hospitals Broadmoor, Rampton and Ashworth. You will form part of the high level management team working towards improving the quality of health care for mentally disordered patients who require treatment under secure conditions.

Your key objectives will be to stimulate and provide management development and to promote excellence in personnel practice throughout the Authority. Within a changing environment you will be required to progress and foster industrial relations and to introduce a range of new employment policies and procedures. You will also play a key role in creating and implementing a change management programme. Senior personnel management experience is essential as is demonstrable achievement in planning for large scale organisational and cultural change.

For more details or an information pack call Mike Swales on 071 665 9761 or Phil Currell on 071 665 9763 (24 hour answering service available). Alternatively write to either of the above at SHSA, Box 426, Charles House, 375 Kensington High Street, London, W14 8QH. Closing date for applications is 15 November 1991.

The Special Hospitals Service Authority is an equal opportunities employer.

## Benenden Hospital

Benenden, Nr. Cranbrook, Kent

PERSONNEL OFFICER

Salary - Circa £15,100 p.a.

THE JOB This new department requires a highly motivated and enthusiastic person to assist management in the provision of a personnel service. It will be the sole responsibility of the successful candidate to assist in several areas:

recruitment and selection, development of policies and procedures, provision of employment statistics together with assisting managers to improve their quality of man management and create consistency in the application of employment policy.

THE PERSON Probably aged between 25 - 35, you will have had a minimum of 2 - 3 years all round employee relations experience gained within a service industry some of which will have been in the N.H.S. or Private Healthcare environment. You will be qualified or studying for the IPM (Stage II) and be educated to degree level or equivalent. You will need to be able to demonstrate the potential to create a department from inception which is capable of assisting the managers to achieve goals. Attention to detail, excellent written skills, a persuasive nature, imagination and diplomacy are all important to undertake this interesting post.

THE ORGANISATION This 155-bedded Independent Hospital is situated in the heart of rural Kent. The 450 staff are led by a Senior Management team who possess a participative management style.

Excellent conditions of employment include a staff healthcare plan, pension and life assurance plan and social and sports facilities including a swimming pool and tennis courts. Low cost married or single accommodation is available as are re-location expenses up to a maximum of £5000.

If you wish to discuss the opportunity internally please contact Miss Jenny Martin, Assistant Hospital Director, on 0690 240333 Ext. 274.

A job description and application form can be obtained from Mrs. Joy Fisher on ext. 315.

Closing date: 18th November, 1991.

Interviews will be held on 5th December, 1991.

## BUSINESS MANAGER

SALARY c. £23,000

A select private nursing home in HOVE requires a professional person to carry out its business management (Nursing qualification not essential). A minimum of FIVE years experience of management in this particular field is essential. A part-time basis may be considered.

Please apply sending full career history and present salary to: D Griffiths, 11/12 Pall Mall, London SW1Y 5LL.



BROMLEY HEALTH

## COMMISSIONING AUTHORITY

An exciting, new, unified Commissioning Authority brings together the first DHA and FHSa partnership, commissioning both primary and secondary care for a population of 300,000.

Our aim is to develop comprehensive, good quality value for money services, achieving greater integration and "seamless care" through our joint approach with the local Authority.

We are looking for 3 Key Directors to support our Chief Executive in leading us through this dynamic and challenging period.

## DIRECTOR OF FINANCE

circa £38,000

Managing the Authorities Commissioning Budget of more than £100M and securing value for money will be a key focus of this role. Along with managing a busy financial services section providing a service to medical and dental staff.

CCAB qualified you will have had experience in managing a finance function and be committed to a key role within the public area.

## DIRECTOR OF PURCHASING

circa £38,000

Negotiating and managing our contracts for primary and secondary Healthcare are an essential part of this role.

You will need to develop a purchasing strategy, in consultation with other agencies that secures quality of care and health outcomes. You will also act as the focus and lead Director for ensuring high quality of care.

With experience in contracting and negotiation, you will have had previous experience at Director level.

## DIRECTOR OF CORPORATE DEVELOPMENT

circa £38,000

Responsible for leading strategic and operational business planning, you will also provide management services and advice to other Directorates.

You will manage the Authority's external relations, provide strategic management frameworks through the effect use of our information team and have a key role to play in supporting the business skills of our healthcare providers.

It is likely that you will have had extensive business planning and management experience.

General Enquiries and requests for information packs should be addressed to: Paula Cook, Bromley District Headquarters, Farnborough Hospital, Farnborough Common, Orpington, Kent BR6 8NO.

Applications Close: Friday 15th November.

Interviews will be held between 25th November and 13th December.

THE BRITISH COLLEGE OF OPTOMETRISTS  
SECRETARY

The College is the professional scientific and examining body for British optometry.

It seeks to appoint a Secretary as chief executive, to be responsible, through the Council and its Committees, for all its work.

Applications are invited from men and women with broad administrative experience and an understanding of professional organisation.

The post is pensionable. Salary is negotiable upwards from £35,000 according to age, experience and qualification.

Please write in the first instance, with a detailed curriculum vitae, to:

The Managing Director, Massey's Executive Selection,  
Premier House, 10 Greycoat Place, London SW1P 1SB.



**Gretna  
will  
Rock**

outburst between Linford Christie and Leroy Burrell at RAF Cusford last winter.

The criticism levelled at England's institutional style of play drew a response from Gordon Taylor, chief executive of the Professional Footballers' Association. "What I have noticed is that it seems to be par for the course with England doing well and getting criticism for their style of play," Taylor said. "If they are not beaten and given a chance of competition they would have been criticised for being losers. They can't win, can they? It never changes from sport to sport on that."

Needless to say, the Football Association and the Football League did not see eye to eye. "As a spectacle it has been magnificent," Bert Millichip, the FA chairman, said. And the League president, Bill Fox? "I have not taken a great interest in it."

50-47 at half-time to Leicester before winning a high-scoring game by 109-105. Hemel were also behind, 47-40, at half-time in Sunday's fixture at Sunderland, before winning 83-75, a much reduced margin compared with last month's encounter.

## NETBALL

**RESULTS:** Minnesota Twins bt Atlanta Braves, 4-3; Minnesota 5, Atlanta 2; Minnesota 2, Atlanta 0; Atlanta 5, Minnesota 4 (12 innings); Atlanta 3, Minnesota 2; Atlanta 14, Minnesota 6; Minnesota 4, Atlanta 3 (7 1/2 innings); Minnesota 1, Atlanta 0 (ten innings).

☐ Vince Wright



